

Also, petition of William Henry Maule, of Philadelphia, Pa., in support of House bill No. 9632, providing a safer and easier method of sending money by mail, etc.—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Central News Company and Lee Bros. & Co., Philadelphia, Pa., in relation to the Loud bill and amendments—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Courtland Saunders Post, No. 21, Grand Army of the Republic, Department of Pennsylvania, protesting against the passage of any bill placing deserters on the same equality with honorably discharged soldiers—to the Committee on Invalid Pensions.

Also, communication of S. G. Simpson & Co., of Philadelphia, Pa., in relation to Senate bill No. 222, to provide a government for the Territory of Hawaii—to the Committee on the Territories.

SENATE.

SATURDAY, April 14, 1900.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on motion of Mr. PETTIGREW, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

GRAZING WITHIN FOREST RESERVES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of the General Land Office, together with the form of a bill entitled "A bill to authorize the Secretary of the Interior to make a charge for grazing within forest reserves," which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

AGES OF EMPLOYEES IN EXECUTIVE DEPARTMENTS.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of the 16th ultimo, a statement showing the number of persons employed in the Department of Justice as clerks, messengers, etc., together with their ages; which was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 16th ultimo, a statement showing the number of persons employed in the Interior Department as clerks, messengers, etc., together with their ages, their ability to perform manual labor, etc.; which, with the accompanying paper, was ordered to lie on the table and be printed.

SHIP STAR—FRENCH SPOILIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law and the opinion of the court filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings and opinion by the court relating to the vessel ship *Star*, John Burchmore, master; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House had passed the bill (S. 2336) repealing section 4716 of the Revised Statutes so far as the same may be applicable to the claims of dependent parents of soldiers, sailors, and marines who served in the Army and Navy of the United States during the war with Spain.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8347) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9139) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1901, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GROUT, Mr. BINGHAM, and Mr. ALLEN of Mississippi managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 9388) to provide better facilities for the safe-keeping and disbursement of public moneys in the Philippine Islands and in

the islands of Cuba and Porto Rico; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 1092) to set apart a portion of the Arlington estate for experimental agricultural purposes, and to place said portion under the jurisdiction of the Secretary of Agriculture and his successors in office;

A bill (H. R. 2356) for the relief of Hiram Johnson and others; and

A bill (H. R. 2456) for the relief of the heirs and assignees of Philip McLoskey and John Hagan.

PETITIONS AND MEMORIALS.

Mr. LINDSAY presented memorials of the Carter County Bugle, of Grayson; of Paul Kratz, of the Pentecostal Herald, of Louisville; of the Harrodsburg Sayings, of Harrodsburg, and of the Lost Cause, of Louisville, all in the State of Kentucky, remonstrating against the passage of the so-called Loud bill, relating to second-class mail matter; which were referred to the Committee on Post Offices and Post-Roads.

Mr. McMILLAN presented a petition of sundry citizens of Romeo, Mich., praying for the enactment of legislation to prohibit the sale of intoxicating liquors upon any premises used for military purposes by the United States; which was referred to the Committee on Military Affairs.

He also presented a petition of the general committee of the Polish Republican clubs of Detroit, Mich., praying for the repeal of the revenue law providing for revenue stamps on eighth and sixth kegs of beer; which was referred to the Committee on Finance.

He also presented a petition of 4,000 citizens and taxpayers of the District of Columbia, praying for the appointment of two superintendents instead of one for the schools of the District of Columbia and that one superintendent be a colored man and in charge of the colored schools; and also that three clerks be appointed instead of two and that the appointments of superintendents be vested in the board of education; which was ordered to lie on the table.

Mr. STEWART. I present resolutions adopted by the National Board of Trade, and also resolutions by Chambers of Commerce, Boards of Trade, Business and Labor Leagues, Exchanges, and other commercial bodies of the cities of Denver, Colo.; Cleveland, Ohio; Des Moines and Sioux City, Iowa; Manchester, N. H.; Los Angeles, Cal.; Clinton, Iowa; New Brunswick, N. J.; Quincy, Ill.; Buffalo, N. Y.; Phoenix, Ariz.; Peoria, Ill.; Sacramento, Cal.; Baltimore, Md.; Philadelphia, Pa.; Atlanta, Ga.; Bay City, Mich.; Birmingham, Ala.; Council Bluffs, Iowa; Charleston, S. C.; Detroit, Mich.; Eugene, Oreg.; Honesdale, Pa.; Indianapolis, Ind.; Kuttawa, Ky.; Lancaster, Pa.; Montgomery, Ala.; Muskegon, Mich.; New Haven, Conn.; New Orleans, La.; Passaic, N. J.; Pensacola, Fla.; Pittsburg, Pa.; Topeka, Kans.; Sagua la Grande, Cuba; St. Louis, Mo.; Schenectady, N. Y.; Savannah, Ga.; Wilkes-barre, Pa.; Wilmington, Del.; Wheeling, W. Va., and San Francisco, Cal., all in favor of the construction of a competing cable line between the United States and Cuba. I move that the resolutions be printed as a document and referred to the Committee on Military Affairs.

The motion was agreed to.

Mr. COCKRELL presented a petition of the Commercial Club, of St. Joseph, Mo., praying that an appropriation of \$250,000 be made for a survey of the arid lands in the West; which was referred to the Committee on Public Lands.

He also presented a petition of the Liquor Dealers' Benevolent Association of Missouri, praying for the repeal of the present tax on beer; which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Adrian, Mo., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in any post exchange, canteen, transport, or upon any premises used for military purposes by the United States; which was referred to the Committee on Military Affairs.

He also presented a petition of the Missouri and Kansas Lumber Dealers' Association, praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

Mr. FORAKER presented a petition of the congregation of the Third Church of Christ, of Akron, Ohio, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the newly-acquired possessions of the United States, immigrant stations, Soldiers' Homes, and upon any premises used for military purposes by the United States, and also praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on Military Affairs.

He also presented petitions of the congregation of the Presbyterian Church of Oxford; of the United Brethren Christian Endeavor Society of Johnsville; of the Christian Endeavor Society of Marysville, and of the congregation of the Methodist Episcopal Church of Oxford, all in the State of Ohio, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in any post exchange, canteen, transport, or upon any premises used for military purposes by the United States; which were referred to the Committee on Military Affairs.

He also presented a petition of St. Joseph Grange, No. 1082, Patrons of Husbandry, of Ohio, praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented a petition of St. Joseph Grange, No. 1082, Patrons of Husbandry, of Ohio, praying for the enactment of legislation to secure to the people of the country the advantages of State control of imitation dairy products; which was referred to the Committee on Agriculture and Forestry.

Mr. CULLOM presented a petition of Macedonia Post, No. 469, Grand Army of the Republic, of Illinois, praying for the enactment of legislation granting pensions to soldiers and sailors of the war of 1861-1865 who are incapacitated for the performance of manual labor; which was referred to the Committee on Pensions.

He also presented a petition of sundry brewing companies of Peoria, Ill., praying for the reduction of the present tax on beer; which was referred to the Committee on Finance.

Mr. PETTIGREW presented a petition of the congregation of the Universalist Church of Wessington Springs, S. Dak., and a petition of the congregation of the Methodist Episcopal Church of Wessington Springs, S. Dak., praying for the enactment of legislation to prohibit the importation, manufacture, and sale of intoxicating liquors and opium in Hawaii; which were ordered to lie on the table.

He also presented a petition of the congregations of the Universalist Church, the Free Methodist Church, and the Methodist Episcopal Church, all of Wessington Springs, in the State of South Dakota, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens, etc.; which was referred to the Committee on Military Affairs.

Mr. PLATT of Connecticut presented a petition of West Hartford Grange, No. 58, Patrons of Husbandry, of Connecticut, praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented the petition of Charles W. Deane and sundry other citizens of Bridgeport, Conn., praying for the enactment of legislation for the propagation and distribution of game and other wild birds, etc.; which was referred to the Committee on Agriculture and Forestry.

Mr. BURROWS presented petitions of the Christian Endeavor Society of the Congregational Church; of the Young Men's Christian Association, and of the congregation of the Congregational Church, all of Union City, in the State of Michigan, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in any post exchange, canteen, or transport, or upon any premises used for military purposes by the United States; which were referred to the Committee on Military Affairs.

He also presented memorials of the Building Trades Council of Cincinnati; of Abraham Lincoln Lodge, No. 445, Brotherhood of Locomotive Firemen of Columbus, and of the Trades and Labor Assembly of Columbus, all in the State of Ohio, remonstrating against the enactment of legislation to place a tax upon butterine, oleomargarine, and all other kindred dairy products; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Modern Woodmen Society of Petoskey, Mich., and a petition of the Modern Woodmen Society of Climax, Mich., praying for the adoption of certain amendments to the so-called Loud bill, relating to second-class mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of the Polish Republican clubs of Detroit, Mich., remonstrating against the enactment of legislation repealing the clause in the revenue law providing for a tax on kegs of beer representing one-eighths and one-sixths; which was referred to the Committee on Finance.

He also presented the memorial of Lillian M. Hollister, of Detroit, Mich., remonstrating against the passage of the so-called Loud bill, relating to second-class mail matter; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Shipmasters' Association No. 7, of Detroit, Mich., praying for the enactment of legislation providing for a resurvey of the north end of Lake Michigan and the west end of the Straits of Mackinac; which was referred to the Committee on Commerce.

He also presented a petition of Typographical Union No. 72, of Lansing, Mich., praying for the enactment of legislation providing for the printing of the label of the Allied Printing Trades on

all publications of the Government; which was referred to the Committee on Printing.

He also presented a petition of the United States Brewers' Association, of New York City, praying for the repeal of the war-revenue tax on malt liquors; which was referred to the Committee on Finance.

Mr. McBRIDE presented a petition of Fairmount Grange, No. 252, Patrons of Husbandry, of Oregon, praying for the enactment of more adequate anti-trust laws; which was referred to the Committee on the Judiciary.

Mr. SPOONER presented the petition of Prentice & Evensen and 98 other citizens of Wisconsin, praying for the repeal of the stamp tax upon proprietary medicines, perfumeries, and cosmetics; which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Grant County, Wis., and a petition of the Young Men's Christian Association of the University of Wisconsin, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens, etc.; which were referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. PRITCHARD, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4805) granting a pension to Isaac Price; and

A bill (S. 1069) granting a pension to Flora Hollifield.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 124) regulating permits for private conduits in the District of Columbia, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 7479) for the relief of John A. Narjes, of Washington, D. C., reported adversely thereon; and the bill was postponed indefinitely.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 4114) to prevent the placing of certain signs upon private property in the District of Columbia, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3984) to prevent the unlawful placing of signs for sale or rent upon private property in the District of Columbia, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2748) granting an increase of pension to Henry Schnetberg; and

A bill (H. R. 3225) granting a pension to Elizabeth Bent Cooper.

Mr. STEWART, from the Committee on the District of Columbia, to whom was referred the bill (S. 4048) to amend an act regulating the inspection of flour in the District of Columbia, approved December 21, 1898, reported it without amendment, and submitted a report thereon.

Mr. FAIRBANKS, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 276) for the erection of a public building at Kingston, N. Y., reported it with an amendment, and submitted a report thereon.

Mr. TURNER, from the Committee on Commerce, to whom was referred the bill (S. 3465) to provide an American register for the steamship *Garonne*, reported it with an amendment, and submitted a report thereon.

Mr. HAWLEY, The Committee on Military Affairs, to whom was referred the bill (S. 3600) for the relief of the estate of Maj. Gen. Henry W. Lawton, have directed me to submit a report thereon and to ask that the committee be discharged from its further consideration. The matter has been adjusted by the War Department, and under the circumstances I move that the bill be indefinitely postponed.

The motion was agreed to.

Mr. SHOUP, from the Committee on Territories, to whom was referred the bill (S. 4075) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and so forth, reported it without amendment, and submitted a report thereon.

CONSIDERATION OF PENSION BILLS.

Mr. GALLINGER. Mr. President, I desire to make a request for unanimous consent. If at 3 o'clock this afternoon neither the unfinished business nor the resolution relating to the seating of Mr. Quay shall be before the Senate for consideration, I ask that forty-five minutes be given to the consideration of unobjectioned pension bills on the Calendar.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that at 3 o'clock to-day, if neither the unfinished business nor the Pennsylvania case shall be under

consideration, forty-five minutes may be given to the consideration of unobjected pension cases.

Mr. CARTER. I should like to have the Senator likewise except the Alaska bill.

Mr. GALLINGER. Yes; I will do that.

The PRESIDENT pro tempore. The Senator also excepts the Alaska bill. Is there objection? The Chair hears none, and it is so ordered.

LANDS IN BENSON COUNTY, N. DAK.

Mr. McCUMBER. I am directed by the Committee on Indian Affairs, to whom was referred the bill (S. 3670) authorizing and directing the Secretary of the Interior to issue a patent to the heir or heirs of one Tawamnoha, or Martha Crayon, conveying to them certain lands in the State of North Dakota, confirming certain conveyances thereof, and for other purposes, to report it with amendments, and I ask unanimous consent for its immediate consideration.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The first amendment of the Committee on Indian Affairs was, in section 1, line 10, after the word "numbered," to insert "one of section;" so as to make the section read:

That the Secretary of the Interior be, and he is hereby, authorized and directed, upon due proof of the death of one Tawamnoha, or Martha Crayon, an Indian woman, late of the Devils Lake Sioux Indian Reservation, and due proof of heirship, to issue a patent to her heir or heirs conveying to them the following-described premises, situated in the county of Benson, State of North Dakota, to wit: The lots Nos. 2 and 3 of section 15, the lot No. 1 of section 22, and the southwest quarter of the southwest quarter of section 14, in township 153 north, of range 67 west of the fifth principal meridian, in the State of North Dakota, containing 159 acres and eight one-hundredths of an acre; the said premises being land allotted to her in severalty by trust allotment patent of date November 2, 1892; such patent so to be issued to convey to said heir or heirs the said premises in fee, discharged of any trust or incumbrance whatsoever.

The amendment was agreed to.

The next amendment was to strike out section 3, in the following words:

SEC. 3. That said heir or heirs are, upon the issuance of said patent, hereby authorized and empowered to sell and convey the said premises, or any part thereof, free of any trust or incumbrance, or to plat or cause to be platted the same, or any part thereof, into city, village, or town lots, and in like manner sell and convey any of such lots.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC SCHOOLS IN THE DISTRICT OF COLUMBIA.

Mr. STEWART. I present from the Committee on the District of Columbia a supplementary report on the resolution of the Senate in relation to the public schools in the District of Columbia, covering some matters that did not come in in time for the previous report. It is quite important that it should be printed, and I ask that it be printed in connection with the report heretofore made. I move that 500 extra copies of this supplementary report be printed, as it will be in demand in connection with the preceding report.

The motion was agreed to.

BILLS INTRODUCED.

Mr. CULLOM introduced a bill (S. 4177) for the relief of the heirs of Alonzo Child, Pearley A. Child, Elon G. Pratt, and Elias W. Fox; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4178) granting a pension to Thomas White; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GEAR introduced a bill (S. 4179) to amend section 2 of the act entitled "An act to adjust the salaries of postmasters," approved March 3, 1883; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 4180) granting a pension to John W. Pennell; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4181) granting a pension to Benton M. Beebe; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WARREN introduced a bill (S. 4182) granting a pension to Benjamin H. Smalley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LINDSAY introduced a bill (S. 4183) for the relief of L. Y. Craig; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4184) granting an increase of pension to Evelyn Neale Murray; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MONEY introduced a bill (S. 4185) for the relief of the

estate of Hixey Parker, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. FORAKER introduced a bill (S. 4186) to remove the charge of desertion from the military record of Andrew J. Duncan; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4187) to remove the charge of desertion from the military record of Anton Smith, alias Charles Roehmer; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4188) granting an increase of pension to George B. Cock; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4189) granting an increase of pension to Hiram S. Swank; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DAVIS (for Mr. HOAR) introduced a bill (S. 4190) to provide for the removal to the proper district for trial of persons indicted for offenses against the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. DAVIS introduced a bill (S. 4191) granting a pension to Anna E. Littlefield; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 4192) in relation to the police court of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 4193) to regulate the grades of Twentieth street, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FAIRBANKS introduced a bill (S. 4194) to correct the military record of Edward Smith; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. COCKRELL introduced a bill (S. 4195) for the extension of Maryland avenue, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 4196) granting an increase of pension to James W. Hankins; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of James W. Hankins, with the affidavits of John C. Miller and Charles M. Elliott and a certificate of the county clerk. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. PENROSE introduced a bill (S. 4197) to provide for the construction of a revenue cutter for use at Philadelphia, Pa.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 4198) to correct the military record of John Piles; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4199) granting a pension to Annie M. Boker; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. HAWLEY introduced a bill (S. 4200) for the relief of acting assistant surgeons of the United States Army; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 4201) to advance Bvt. Maj. Gen. Galusha Pennypacker, United States Army, from the rank of colonel on the retired list to the rank of major-general on the retired list; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PETTIGREW introduced a bill (S. 4202) granting a pension to Edwin B. Paddock; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. MORGAN introduced a bill (S. 4203) for the relief of John T. Lehman; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4204) for the relief of Mrs. M. L. J. Christian; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT of Connecticut introduced a bill (S. 4205) granting a pension to Lucy Stanton Wheeler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. RAWLINS introduced a bill (S. 4206) to provide for the purchase of a site and for the erection of a public building thereon at Ogden, in the State of Utah; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CARTER introduced a bill (S. 4207) to increase the limit of cost for the purchase of site and erection of a building thereon at Helena, Mont.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. RAWLINS introduced a joint resolution (S. R. 112) proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States; which was read twice by its title, and referred to the Committee on Privileges and Elections.

Mr. GALLINGER introduced a joint resolution (S. R. 113) authorizing the exhibit of Government relics at the New York Printing Exposition from May 2 to June 2, 1900; which was read twice by its title, and referred to the Committee on Printing.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. WARREN submitted an amendment proposing to appropriate \$70,000 for continuing the work of constructing quarters, etc., at Fort D. A. Russell, Wyo., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. PENROSE submitted an amendment relative to officers of the Navy retired prior to March 3, 1899, and June 30, 1899, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. HAWLEY submitted an amendment proposing to appropriate \$200,000 for constructing an addition to the public building at Hartford, Conn., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

READJUSTED SALARIES OF POSTMASTERS IN OHIO.

Mr. FORAKER submitted the following resolution; which was referred to the Committee on Post-Offices and Post-Roads:

Resolved, That the Postmaster-General be, and he hereby is, directed to report upon a schedule to the Senate the readjusted salaries of all postmasters who served in the State of Ohio between July 1, 1864, and July 1, 1874, whose names as claimants appear in the Court of Claims in the case entitled *Hester A. Birdsong and others against the United States, No. 18261*, each such stated account to conform in all respects to the order of the Postmaster-General published by circular under date of June 9, 1883, and to the requirement of the act of March 3, 1883, as said requirement was pushed by the Postmaster-General in the newspapers of the country under date of February 17, 1884, and with such report transmit to the Senate a full copy of the text of the construction by the Postmaster-General of the act of March 3, 1883, embodied in the said circular and publication in the newspapers and in circular form No. 1223, the text of each of which, under date of November 8, 1897, was transmitted by the Postmaster-General to the Attorney-General for use in the case of *Jane Yarrington and others against the United States, No. 18345*.

HEARINGS BEFORE COMMITTEE ON MILITARY AFFAIRS.

Mr. HAWLEY submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Military Affairs be, and the same is hereby, authorized to employ a stenographer from time to time, as may be necessary, to report such hearings as may be had by the committee or its subcommittees in connection with bills pending before the committee, and to have the same printed for its use, and that such stenographer be paid out of the contingent fund of the Senate; and that the stenographer who reported the hearing already had before said committee be paid from said fund.

UNION PACIFIC RAILWAY INDEBTEDNESS.

Mr. MORGAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Attorney-General be, and is hereby, required to transmit to the Senate copies of all papers connected with the consent filed in October, 1899, on behalf of the United States to the distribution of the receivership fund of the Union Pacific Railway Company in favor of the Union Pacific Railroad Company in the circuit court of the United States for the district of Nebraska, together with all correspondence between the Attorney-General and the special counsel for the United States, John C. Cowin; and also the grounds and reasons of the Department of Justice for agreeing to the appropriation of the fund in question, so that the Union Pacific Railroad Company received \$4,600,000 thereof and the United States less than 12 per cent of its claim on said fund, namely, \$831,000.

MESSAGES AND PAPERS OF THE PRESIDENTS.

Mr. GALLINGER submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed 30,000 additional copies of the document known as Messages and Papers of the Presidents, of which 10,000 copies shall be for the use of the Senate and 20,000 copies for the use of the House of Representatives, the "remainder," if any, to be held by the Superintendent of Documents subject to the future action of Congress.

LAND IN NEWPORT, R. I.

Mr. HAWLEY. I ask for the present consideration of the bill (S. 3679) granting a deed of quitclaim and release to Lorillard Spencer, his heirs and assigns, of all the right, title, and interest in and to certain land in the city of Newport, R. I.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of War to execute, acknowledge, and deliver, in the name of the United States of America, a deed of quitclaim and release to Lorillard Spencer, of Newport, R. I., his heirs and assigns, of all the right, title, and interest which was granted to the United States of America by a deed from Elisha Brown to the United States of America, dated the 15th day of November, A. D. 1808, and recorded in volume 11 of the Land Evidence of the city of Newport, in the county of Newport, in the

State of Rhode Island, at pages 11 and 12, in and to the land described in the deed, upon the payment by him of the sum of \$25.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HOUSE BILL REFERRED.

The bill (H. R. 9388) to provide better facilities for the safe-keeping and disbursement of public moneys in the Philippine Islands and in the islands of Cuba and Porto Rico was read twice by its title, and referred to the Committee on Finance.

ELECTION OF SENATORS BY DIRECT VOTE.

Mr. PETTIGREW rose.

Mr. BERRY. Mr. President—
The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Arkansas?

Mr. PETTIGREW. I yield.

Mr. BERRY. I ask whether the Chair has laid before the Senate the joint resolution which came over from the House of Representatives this morning proposing an amendment to the Constitution in regard to the election of United States Senators?

The PRESIDENT pro tempore. The Chair has not.

Mr. BERRY. I desire when the Chair lays the joint resolution before the Senate to make a remark or two in regard to it; that is all. I heard it read by title this morning.

Mr. CHANDLER. I ask that the message from the House may be laid before the Senate.

The PRESIDENT pro tempore. The Chair is informed that the joint resolution has not come from the House.

Mr. BERRY. I heard the Clerk report it this morning; at least, I so understood him.

Mr. HALE. It should come in this morning.

Mr. BERRY. And I understood that it was brought in.

The PRESIDENT pro tempore. The Senator from Utah [Mr. RAWLINS] introduced a joint resolution proposing an amendment to the Constitution for that purpose and had it referred to the committee, but the joint resolution to which the Senator refers has not come from the House.

Mr. BERRY. I possibly may have been mistaken, but I understood the clerk to announce it. I know it passed the House on yesterday. What I desire to say, if the Senator from South Dakota will permit me, I can say right now. It will take only two or three minutes.

The PRESIDENT pro tempore. Does the Senator from South Dakota yield for that purpose?

Mr. PETTIGREW. I yield, Mr. President.

Mr. BERRY. On the second day of the session I introduced a joint resolution proposing an amendment to the Constitution of the United States, directing that United States Senators shall be elected by the people of the respective States. I asked the chairman of the committee to report it in time, if possible, so that we could have a vote on the question during the present session. Yesterday the House of Representatives passed by an overwhelming majority a joint resolution proposing an amendment to the Constitution providing for the election of United States Senators by popular vote, as they did at the last session of Congress.

All I desired was to make an appeal to the Committee on Privileges and Elections to bring in a report, either for or against this proposition, so that there may be an opportunity for the Senate of the United States to express its views by a vote.

I do not think there is any question before the American people where so large a majority favor any proposition as favor the proposition to elect United States Senators by the people. I believe it is right to do so, and I think it is but just and fair to them and to the House of Representatives that the Committee on Privileges and Elections shall give us a report on that question, so that a vote can be taken.

Mr. CHANDLER. Mr. President, the Committee on Privileges and Elections has had before it, it is true, for two or three months the joint resolution to change the Constitution, submitted by the Senator from Arkansas. During that time the committee has been very much engaged in other business, but now that the opinion of the Senator from Arkansas is reinforced by the House of Representatives the committee will undoubtedly, at the earliest possible opportunity, take up the proposition and consider it.

I am not myself, Mr. President, in favor of the election of United States Senators by the people. No member of the committee, I will say, since the Senator introduced his joint resolution, has asked for a consideration of the subject by the committee. There will now be an opportunity, however, for any such request to be made; and I should be very glad, in response to the appeal of the Senator from Arkansas, myself to call not only his joint resolution, but the joint resolution of the House of Representatives to the attention of the committee at an early day.

Mr. BERRY. I understood the Senator to say that no member of the committee had made the request. The Senator will remember that I spoke to him about the joint resolution I had introduced and asked him to report it early.

Mr. PETTIGREW. Mr. President, I decline to yield further.
Mr. CHANDLER. The Senator from Arkansas is correct.
The PRESIDENT pro tempore. The Senator from South Dakota declines to yield further.

SENATOR FROM PENNSYLVANIA.

The PRESIDENT pro tempore. The Chair lays before the Senate the resolution, which will be read.

The Secretary read the resolution reported by Mr. TURLEY from the Committee on Privileges and Elections January 23, 1900, as follows:

Resolved, That the Hon. Matthew S. Quay is not entitled to take his seat in this body as a Senator from the State of Pennsylvania.

Mr. CHANDLER. If no Senator desires to speak, I shall ask that the resolution may go over until Monday, especially in order that the Senator from South Dakota need not be interrupted in the eloquent remarks which he did not finish on Thursday. I will ask if any Senator wishes to speak on the Pennsylvania resolution today? [A pause.] If not, I request Senators who desire to speak to kindly endeavor to be ready early next week. There is a day fixed for voting upon the resolution and the speeches which Senators desire to make ought not to be postponed too long. I make that request.

The PRESIDENT pro tempore. Without objection, the resolution will go over until Monday.

SOUTH AFRICAN REPUBLIC.

Mr. PETTIGREW. I ask that my resolution may be read.
The PRESIDENT pro tempore. The Chair lays the resolution before the Senate.

The Secretary read the resolution submitted by Mr. PETTIGREW February 2, 1900, as follows:

Whereas from the hour of achieving their own independence the people of the United States have regarded with sympathy the struggles of other people to free themselves from European domination: Therefore,

Resolved, That we watch with deep and abiding interest the heroic battle of the South African Republic against cruelty and oppression, and our best hopes go out for the full success of their determined contest for liberty.

Mr. PETTIGREW resumed and concluded the speech begun by him on Thursday last. The entire speech is as follows:

Mr. PETTIGREW. Mr. President, it is my opinion that the Senate should pass this resolution of sympathy for the people of South Africa. If we do not, it will be the first time in our history as a Republic that we have failed to express our sympathy and interest, in emphatic terms, for any race or people whatever who were striving to maintain free institutions.

We are parties to the agreement resulting from the conference at The Hague last year; and while I do not believe that America should take up the quarrels of other nations or become complicated in European controversies, it does not appear to me that the Administration has made an honest effort in good faith to comply with and carry out the terms of The Hague agreement. For that agreement provided—

TITLE SECOND.—Or friendly offices and mediation.

ART. 2. In case of serious dissension or of conflict, before the appeal to arms, the signatory powers agree to have recourse, as far as circumstances will permit, to the friendly offices or to the mediation of one or of several friendly powers.

ART. 3. Independently of this resort, the signatory powers think it to be useful that one or more powers who have no part in the conflict may offer of their own volition, so far as circumstances may make it appropriate, their friendly offices or their mediation to the states engaged in the conflict. The right to offer these friendly offices or mediation is absolute in the powers which take no part in the conflict even during hostilities. The exercise of this right shall never be considered by either of the parties to the contest as an unfriendly act.

ART. 4. The duty of a mediator consists in conciliating the opposing claims and appeasing the resentment which may have sprung up between the states engaged in the conflict.

ART. 5. The duties of a mediator cease from the moment when it is officially declared by either party to the strife, or by the mediator himself, that the methods of conciliation proposed by him are not accepted.

I can not learn that we have proposed any method of conciliation. It is reported that, in a perfunctory way, our Government asked Great Britain if it could do anything to settle the quarrel. Our plain duty was to have acted before the first gun was fired, and then, if refused, to have at once expressed our disapproval of England's course by passing resolutions of sympathy for the South African Republics.

Instead of taking the most American course our Administration has allowed the world to believe we are in full sympathy with Great Britain. Even if there is not a verbal understanding between Mr. Hay, our Secretary of State, and the English Government, approved by the President, it is evident that as long as Mr. McKinley is in power England will have at least the moral support of the United States in whatsoever she may do. I believe that there is such an understanding, for in no other way can I explain the course and conduct of the President.

There is strong corroboration of this view in the visit of the Senator from Ohio, Mr. HANNA, to England last year, and his great admiration for the English Government, expressed on his return.

The struggle going on in South Africa is between the same

despotic power, intensified a hundredfold, that over a century ago endeavored to destroy liberty on the American continent and a republic weaker in numbers than we were when we made our triumphant resistance to British tyranny.

Who can say that the Boers are not prompted by as lofty a patriotism, by as ardent a desire for freedom, as inspired our forefathers in that Revolution which, in 1776, brought our own Republic into being as a model after which the liberty of the world has been fashioned.

Under the conditions and circumstances grouped about the origin of our Government and the historical events attending its course of development, the most unnatural alliance for us to make is an English alliance. Our most natural alliance would be one of sympathy with the heroic defenders of the Transvaal, who have been winning victories that take their places beside Marathon, Bunker Hill, and Lexington.

And in response, from the Atlantic to the Pacific, a wave of enthusiasm moves across our continent, and in public meetings the hope everywhere finds expression that the Republic of South Africa shall not perish from the earth, and that the red uplifted hand of British greed may be stayed.

Why, then, did not our Executive take action in behalf of liberty and humanity, action that would have convinced the world that we still believed liberty and humanity should prompt nations in their dealings with each other? Simply because he is engaged in the same wretched business as that which is drenching the soil of Africa with the blood of martyrs. He is busy with an effort to rob the people of the Philippine Islands, and is slaughtering those who resist robbery because, forsooth, it will pay, because they are rich and are worth robbing, and because their island possessions will furnish a foothold for other robberies. The Executive has the power to intercede in behalf of the South African Republic, and if he had spoken as Cleveland spoke in the Venezuela case, there would have been no war in South Africa. But the President will not avail himself of the humane opportunity. The duty is then upon us to act.

Who are these people that excite our sympathy?

They are of our own race. The same blood courses in their veins and in our veins. They sprang from the Dutch, who drove Phillip out of Holland, and from the French Huguenots, who fled to Holland rather than surrender their convictions. Their career in South Africa is a living, burning page in the history of the world, and the impress of their earnestness comes down to the children of the thirteen colonies through the adoption of the alternative so eloquently voiced by the patriot Virginian, "Give me liberty or give me death."

I hope to enjoy the day when England shall have been driven from every foot of the soil of Africa and a republic of united and happily governed states constructed on the ruins of her despotic power. England has conquered no people but to rob them, has governed no race but to blight it with the curse of her presence. The Boers know her methods and their results better than any people in the world. Sixty-five years ago they left their homes in Cape Colony and fled into the wilderness, preferring to wander in the desert and fight for an existence against the savage tribes of that region than accept the pretended protection of a nation of canting hypocrites.

The South African Republic and the Orange Free State are in the interior of South Africa, and neither of these Republics touches the coast at any point. The South African Republic is separated from the Indian Ocean by a long, narrow strip of coast land, from 30 to 60 miles in width, owned by Portugal. The chief seaport is Lourenco Marquez, on Delagoa Bay. Both of these Republics are dry, treeless, elevated plains, broken by mountain ranges, like Wyoming. They are naturally too dry for successful cultivation, but are covered with the rich grasses of semiarid growth. Farming is carried on through irrigation. Small patches of ground along the low river bottoms produce crops without irrigation, but their area is limited. Timber is scarce and is found only upon land contiguous to the streams. The principal industry is raising cattle, and the population is scattered over wide areas in isolated communities.

The area of the South African Republic (or the Transvaal) is 119,139 square miles.

Its population in 1898 was 336,400 whites—137,900 men and 107,450 women and 101,000 children—with a black population of 748,750 persons. Pretoria, the capital, has a population of 10,000.

Johannesburg, which is the gold-mining center, has a population of 108,063 people—79,500 men and 28,763 women; the whites, 60,000; Chinese, 4,800; black, 42,500. In the Transvaal there are 10,000 Jews. The rest of the population are Protestants, mostly Dutch Reform and Lutheran. The Republic owns the railroads and telegraph lines. The total revenue is over twenty millions; but this includes railroads, telegraph, postal receipts, and the sale of explosives.

The government is a republic.

The legislature consists of two houses of 27 members each.

No person can be a member of either house unless he is 30 years of age and possessed of fixed property. The term of service is four years.

The first chamber is elected by the first-class burghers.

The first-class burghers are white male persons residing in the republic prior to 1876, or those who fought in the wars of the republic, including the Jameson raid, and the children of such persons over 16 years of age.

The second chamber of the legislature is elected by the first and second class burghers.

Second-class burghers are naturalized citizens and their children over 16 years of age.

Naturalization may be obtained after two years' residence by taking the oath of allegiance and paying \$10.

Naturalized burghers may become first-class burghers after twelve years.

Sons of naturalized burghers may become naturalized burghers at 18 years of age.

First-class burghers ten years thereafter.

The president and commanding general are elected by the first-class burghers only.

The executive authority is vested in a president, elected for five years, assisted by a council of four members.

The Orange Free State is south of the Transvaal, and has an area of 48,300 square miles, and in 1890 had a population of 77,700 whites and 130,000 blacks or natives.

The capital is Bloemfontein, with a population of 2,077 whites and 1,300 blacks.

The railroads and telegraph lines are owned by the government.

Exclusive of the railroads the revenues in 1897 was \$2,010,000, and the expenses \$1,905,000.

Government.—Written constitution. President elected for five years by voters. Executive council consists of the secretary and four others.

Legislature.—Popular assembly; 60 members, elected by popular vote for four years, one-half every two years; salary, \$10 per day; qualification, burghers 25 years old, owner of real estate valued at \$3,500. Voters, white burghers, by birth or naturalization, who own real property worth \$750 or pay a rent of \$180 per annum or a yearly income of not less than \$1,000 or own personal property worth \$1,500.

Law.—Roman Dutch. Supreme court, composed of three judges. Circuit courts.

Religion.—Dutch Reform, 68,940; English Episcopal, 1,353; Methodist, 753; Lutheran, 312; Roman Catholic, 416; Jews, 113.

Education, free, compulsory, and universal. Two daily and two weekly papers.

Every man over 16 years of age or under 60 is enrolled in the militia and trained to handle arms, but the standing army is very small, consisting of a few trained artillerymen. The total white population of these two Republics is less than 500,000, and they are to-day holding in check and have repeatedly defeated the greatest army England ever sent from her shores. Their army has no doubt received many recruits from Cape Colony.

Cape Colony is a British colony, and embraces the southern coast of Africa, possessing an area of 191,400 square miles, with a population of 956,900 people in 1891. Of these 836,900 are European, three-fourths of the white population Dutch, and those who first occupied Cape Colony were the ancestors of the Boers of the two Republics now at war with Great Britain.

Cape Colony was settled by the Dutch in 1652, when a number of Holland farmers were landed at Table Bay, now Cape Town, for the purpose of raising vegetables and cattle to supply the Dutch vessels engaged in trade with India, Java, and Borneo. This trade was very profitable and the settlement prospered. The vessels of all nations trading with the East put in here to secure fresh supplies, and thus the farmers found a good market for all their crops. Families arrived each year from Holland, and the settlement spread along the coast and into the interior and engaged in all kinds of agriculture and stock raising. They made slaves and servants of members of the native tribes of blacks, compelling them to cease their wandering habit and establish themselves in permanent settlements.

In 1795 England, being at war with Holland, sent a fleet and an army to South Africa and captured Cape Town and garrisoned it. England held the colony until 1803, and then surrendered it to the Batavian Republic; but in 1806, the Batavian Republic having been conquered by Napoleon and erected into the Kingdom of Holland, with Louis Bonaparte upon the throne, England sent a fleet of ships and an army of soldiers and again captured Cape Town and resumed the government of the country.

In 1814, when Holland again became independent and the monarchy was restored, England refused to surrender Cape Colony, but annexed it to the British Empire and paid Holland \$30,000,000 for a quitclaim title to the colony.

England despised the Dutch and her officers treated them with

contempt, and under her domineering rule the people were oppressed.

All semblance of a republican form of government was abolished. Civil offices were filled from England with broken members of Parliament, with bad, if any, character.

Adventurers, worthless sons of distinguished men, were commissioned to rule the colonists, and places were even bartered away for money.

The English language was made the official language, and no man could serve on a jury unless he could speak English. In the country the people were not able to employ the English language. All trials, therefore, had to be conducted in Cape Town; and men charged with offenses were taken long distances from their homes and tried by a jury of foreigners, whose language the victims of so-called justice could not understand.

The vagrant laws were repealed, and the consequence was that the country swarmed with Hottentots, who begged from and robbed the settlers and became worthless, diseased tramps. They were rapidly becoming extinct under this loose system, although while the strict Dutch rules were in vogue these natives had been giving promise of rapid civilization.

The Dutch have demonstrated superior ability in civilizing inferior races and seldom go to war with them, while the English have developed no capacity in that direction. Where the contact is close and constant, English rule has resulted in ceaseless conflict, wearisome war, and the final extinction of the inferior race by the sword and by disease.

Finally England freed the slaves of the colonists under a proposition to pay about half their value to their owners. Payment for the slaves was to be made in London, and so the Dutch farmers found themselves the victims of claim agents, and, being under the disadvantage of inability to speak the language, many never presented their claims. Those who did were robbed by attorneys, agents, and middlemen, so that they realized only one-quarter of the value of the property.

The Dutch, had they been accorded proper treatment, would have been contented and would have made loyal citizens. They would have united in marriage with English settlers who had begun to locate in the colony, for they were of the same family or race as the English. But England treated them as conquered subjects, as an inferior race, as people fit only to be trampled upon. Thus, after almost a century, she is reaping the fruits of tyranny in a war waged in self-defense by the descendants of those people who should and would have remained loyal under the beneficent management of a humane government.

Great Britain is gathering the harvest of a policy that is testing the strength of the Empire and may accomplish its overthrow. One thing is certain: England's prestige is gone and the limit of her aggressive empire has been reached. Decay, rapid decay, will now set in. The reflex influence of a century of wrong practiced upon others has destroyed the manhood and the character of the people at home, and the ranks of her armies are no longer filled by the sturdy farmers of the days of Drake and Howard.

In discussing the events that follow I have drawn my information from British sources alone.

South Africa, by George M. Theal, page 175:

It is not a pleasant admission for an Englishman to make, but it is the truth, that it would be difficult to find in any part of the world a people with so much cause to be discontented as were the old inhabitants of Cape Colony for many years after the fall of the ministry of the Earl of Liverpool.

Page 196, Theal gives the cause of the Dutch leaving Cape Colony:

First. There was subjection by a foreign and unsympathetic government.

Second. There was prohibition of their language in the public offices and the courts of law.

Third. There was the superintendent of the London Missionary Society, their ablest and most relentless opponent, in possession of boundless influence with the British authorities.

Fourth. There were the slanderous statements made by the philanthropic societies of England concerning them.

Fifth. There was the sudden emancipation of their slaves without adequate compensation.

Sixth. There was the whole mass of the colored people placed upon a political footing with them, and that without a vagrant act being put in force.

Seventh. There was no security for life or property in the eastern districts, which were exposed to invasion by the Kossas, as the secretary of state took part with the barbarians.

These were the chief causes of the great emigration, and there were many others of less importance.

Froude, Oceana (page 39), sides with the Boers and gives the same reason for their departure.

Bryce, M. P., in North American Review, December, 1899:

She [England] altered the system of courts and local government, reducing the rights which the people had enjoyed. She insisted on the use of the English language to the exclusion of Dutch. In undertaking to protect the natives and the slaves whom the Dutch were accused by the English missionaries of treating very harshly, that the missionaries sometimes maligned them and greatly resented the attention which was paid to the charges. Finally she abolished slavery and allotted a very inadequate sum as compensation to the South African slaveholders, much of which sum never reached their hands because it was made payable in London.

For these reasons, in 1836 thousands of the Dutch abandoned

their homes, took their cattle and personal property, made domiciles of their wagons, and started northward into the wilderness, fighting their way or making their peace with the savage tribes. They crossed the Orange River and then considered themselves beyond English dominion, for over and over again England had declared that she would not enlarge her possessions in South Africa. Here the settlers established a rude republic, and enjoyed the freedom implanted in their nature's generations ago. To these descendants of the men who let the sea in upon Holland rather than submit to the hateful rule of the Duke of Alva, liberty was dearer than life.

That portion of Africa to which these people had gone in search of a land where freedom might thrive without restraint was dry and fit only for grazing purposes. It lies in the high plains region at the head of the Orange River. Along the east coast of southern Africa there is thrown a chain of high mountains parallel with the sea.

Some of the migrating settlers crossed the mountains and found their eastern slopes plentifully clothed with rich vegetation. Near the coast semitropical plants grew in luxurious abundance. Rains gave the soil an adequate supply of moisture, and the streams plunged over great precipices down to the sea. At what is now Durban was found a fine harbor. Many of the emigrants followed the transmountain explorers and settled along the east slope, contiguous to the sea. Here, however, the Dutch home-seekers ran counter to England's scheme of benevolence toward mankind (for we of the United States are not the originators of governmental desire to make all people happy), and the sturdy wanderers were forced by British bayonets to recross the mountain chain and occupy the inhospitable plateaus of the semiarid belt. The country about Durban, the colony of Natal, the coast line the Boers had hoped to make lodgment upon, was promptly annexed to the Empire of Great Britain, and England thanked God that the circumference of the sea was safe from the occupancy of any other power.

The Boers, determined not to submit to British rule, went back over the mountains and located upon plains between the Orange River and the Vaal River, some of their number crossing the Vaal and settling in what is known as the Transvaal. England, however, adhered to the dogma that "Once a British subject, always a British subject;" that by migrating to and subduing new land these sturdy farmers, fleeing from English oppression, were extending the domain of the Crown, and so in 1846 England affirmed her title by arbitrarily annexing all the country between the Orange and the Vaal rivers, embracing what is now the Orange Free State. A war ensued. The Boers were defeated at Bloemfontein by an army dispatched from Cape Town to enforce the merciless edict of an implacable sovereign.

Froude (an Englishman) has truthfully written that England always hates those whom she has injured. But with the aid of the Boers beyond the Vaal the republic maintained the contest, with varying success, until 1852, when England made a treaty with the Boers by which she recognized the Dutch settlement beyond the Vaal as a free and independent state. In 1854, by treaty, England also recognized the independence of the Orange Free State. The treaty of 1852 was confirmed by the cabinet of Lord Derby, and the treaty of 1854 was confirmed by the cabinet of Lord Aberdeen. Thus both of the English political parties participated in the recognition of these two Republics as independent states.

Following the treaty of 1852, peace reigned for seventeen years. In 1869 a dispute arose concerning the boundary between the Orange Free State and the native tribes. England interfered and after some fighting decided in favor of the Orange Free State, and a treaty was signed, called the treaty of Aliwal North, fixing the boundary of the Orange Free State so as to embrace all the territory in which the South African (or Kimberley) diamond mines were located.

Froude may tell the story of English duplicity and treachery. I read from pages 45 and 46 of his *Oceana*:

The ink on the treaty of Aliwal North was scarcely dry when diamonds were discovered in large quantities in a district which we had ourselves treated as a part of the Orange territory before our first withdrawal, and which had ever since been administered by Orange Free State magistrates. There was a rush of diggers from all parts of the country. There was a genuine fear that the Boers would be unable to control the flock of vultures which was gathering over so rich a prey. There was a notion also that the finest diamond mine in the world ought not to be lost to the British Empire. It was discovered that the part of the country in which it lay was not a part of the Free State at all and that it belonged to a Griqua chief named Waterboer. The chief, in past times, had been an ally of the English. The Boers were accused of having robbed him. He appealed for help and in an evil hour we lent ourselves to an aggression for which there was no excuse. Lord Kimberley gave his name to the new settlement.

The Dutch were expelled. They did not resist, but they yielded under protest to superior forces, and from that day no Boer in South Africa has been able to trust to English promise. The manner in which we acted or allowed our representatives to act was insolent in its cynicism.

We had gone in as the champions of the oppressed Waterboer. We gave Waterboer and his Griquas a tenth of the territory. We kept the rest, and all that was valuable, for ourselves. What could the Dutch have done worse? We have accused them of breaking their engagement with us, and it was we

who taught them the lesson. A treaty but a few months old was staring us in the face. Even if Waterboer's title had been as good as his friends pretended, we had pledged ourselves to meddle no more in such matters, in language as plain as words could make it.

Our conduct would have been less entirely intolerable if we had rested simply on superior strength—if we had told the Boers simply that we must have the diamond fields and intended to take them; but we poisoned the wound and we justified our action by posing before the world as the protectors of the rights of native tribes whom we accuse them of having wronged.

And we maintained this attitude through the controversy which afterwards arose. I had myself inquired subsequently into the details of this transaction, perhaps the most discreditable in the annals of English history.

Theal (an English writer), South Africa, page 325, finishes the story in the following language:

President Brand, of the Free State, then went to England and laid the case before the imperial authorities. In brief it was this: That Great Britain had taken the land from the Free State under pretense that it belonged to Waterboer, and that a British court after a careful examination had decided that Waterboer had no right to it. The reply which Brand received was to the effect that it was a necessity for the paramount power in South Africa to be in possession of the diamond mines, but he would receive \$450,000 for Griqualand West, which contained the diamond fields, as a solution. This sum President Brand accepted. There was no other way.

English honor went for naught. The Boers had long since found that out, and hatred of England and of Englishmen had become an inherited trait of Boer character.

The country beyond the Vaal was loosely governed. The Boers did not like to pay taxes, so each community would meet occasionally in mass meeting and make their own laws, being better satisfied with the home product than with the kind sent them from the charnel house of corruption across the seas.

The blacks outnumbered the whites and the disparity in numbers emboldened the natives. Conflicts between roving bands and the settlers were a result of this condition. The situation furnished the excuse, and in 1877 England marched an armed force into the Transvaal and declared that it was annexed to the British Crown as a colony, under the pretext of establishing a stable government for the protection of life and property.

The Boers did not at first resist this usurpation of government and seizure of territory. They were scattered over wide areas, were poor, and it was not easy to mobilize for defense. In order to avert any tendency toward resistance, the robber government promised the Boers a system of local self-government. It happened, as usual, that the English officials failed to keep their promises, and they became arrogant, insolent, and offensive in the collection of taxes. This condition, forced upon the Boers, continued until 1880, when they revolted, made prisoners of the English garrison, occupied the passes leading to Natal and in three engagements defeated their oppressors, killing over three hundred and wounding as many more. The loss of the farmer warriors in these encounters was 17 killed and 28 wounded.

Following these bloody events came the famous and historic battle of Majuba Hill. During the darkness of the night of February 26, 1881, a force of 600 British troops occupied a high hill which commanded the Boer position. With the dawn of the succeeding day the Boer commander, General Joubert, discovered the presence of England's fighting force on the crest high above him. It was an advantage that must be overcome, as its retention involved grave consequences to the cause for which General Joubert had armed his followers. The emergency demanded prompt action and the general called for volunteers to storm the height. In response 150 intrepid Dutchmen stepped forward and offered themselves as a forlorn hope to scale the hill and drive the British away. They were placed under command of Nicholas Smit. After several hours of laborious ascent, Smit reached the top of the elevation at noon with about 80 of his followers. In the face of this heroic success the enemy gave way to panic and fled, suffering the loss of 92 killed, 134 wounded, and 59 prisoners. It was the charge of the old 600 reversed. Theirs not to question why; theirs but to run or die. And they went, leaving among the slain the body of their commander, General Colley. The loss to the Boers was 1 killed and 5 wounded in this sanguinary affair. English historians who belong to the ruling oligarchy of Great Britain say that they were defeated at Majuba Hill by an overwhelming force of Boers, but they give no figures.

The paternal home Government now hurried reinforcements to Africa to wipe out the disgrace of Majuba Hill, but up to date the account has not been squared, unless the surrender of Cronje, with his 3,000 men, to Lord Roberts's army of 78,000, after killing and wounding more English than he had men in his command and holding the British army at bay for months, can be considered as squaring the account.

Gen. Sir Evelyn Wood was in command of the new levy of 12,000 men who took the field against the Boers. It appears, however, that he deemed discretion the better part of valor, for on the 5th of March an armistice was concluded between Sir Wood and the farmer triumvirate, Paul Kruger, M. W. Pretorius, and Peter Joubert, and this was soon followed by peace, with independence restored to the South African Republic.

The terms agreed upon included a provision recognizing England's suzerainty and the right of that Government to regulate

the foreign affairs of the Transvaal, so that no treaty could be made with any foreign state (excepting only the Orange Free State) without England's consent.

Having thus recovered their internal independence, the Boers began immediately to plan for complete sovereignty, involving an abandonment of English suzerainty over them, and in 1884, as a result of their efforts, a new convention was signed by Lord Derby on the part of England, by which the South African Republic was granted full recognition. The British resident was withdrawn from Pretoria and a council appointed. In 1885 a new element of discord escaped from the Pandora box of Boer destiny. Gold was discovered. The richest and most remarkable mines in the world were exposed to British cupidity. They were apparently inexhaustible, yielding an even average of gold to each and every ton of ore. As a result of this discovery immigration poured into the Transvaal from all parts of the world. England, Russia, France, Germany, the United States, and Canada sent their quotas of fortune seekers, and many of them were mere adventurers. They invaded the Boer domain, not to found homes and transport their families thither, but to wrest wealth from the soil and send their gains to distant climes.

The Boers soon realized that the newcomers, gathered from every quarter of the globe, would some day outnumber them, and, by the force of numbers, take control of their government and turn their country over to some foreign power. And thus their freedom, so long sought amid dangers and suffering, and for which they had sacrificed so much, would be taken away forever. There were two preventive courses, either of which they had a perfect right to adopt. One was to forbid the opening of more mines, and the other was to limit the franchise and extend the time of residence required before an alien could secure citizenship. The latter course was pursued, and the length of residence required to entitle an immigrant to citizenship was extended to fourteen years.

England was determined, in pursuance of her historic habit, to possess herself of the Transvaal gold fields. Cecil Rhodes, the president of the South African Chartered Company, and at that time prime minister of Cape Colony, who had made many millions out of diamond mines at Kimberley, devised a plan for the consummation of England's scheme of greed. His plan involved a rebellion on the part of the English residents of Johannesburg and the overthrow of the Dutch government. In pursuance of this plan arms were secreted in the city. Dr. Jameson, administrator of the territories of the South African Company, who had at his disposal a body of mounted police, was brought into the conspiracy and a day fixed for an uprising. On that day Dr. Jameson was to march in with his raiders and assist in accomplishing the overthrow of the Dutch Republic. For some reason the Uitlanders changed the date of the demonstration; but Dr. Jameson, impatient over the delay and believing that his allies in Johannesburg would fly to arms on the appearance of his force, determined to spring the plot. So, late in December, 1895, with a force of about 800 men, he entered the Transvaal and advanced toward Johannesburg.

The Boers had been warned, and Jameson was soon surrounded and compelled to surrender.

Jameson's force consisted of 512 well-mounted men and a strong quota of artillery, including 8 Maxim guns. The Boers had not over 700 men, and only 50 were at any time actually engaged. The last charge of the English was met and overcome by 7 Boers. Jameson lost 50 men and the Boers 4. On every previous occasion and on each subsequent occasion the British have failed utterly to prevail over the untrained citizen-soldiers of the Dutch Republic.

It is believed, and I believe, that the British foreign office had full knowledge of the contemplated raid and approved it. The affair exhibited all the marks of identification of the time honored English method as described by Morley, a method that provokes resistance and then assumes that the Queen's forces have been attacked. But in this case the overthrow of Dr. Jameson was so sudden and so complete, and his operation so barefaced, infamous, and unjust, that even the English Government did not dare defend the raid or follow it up, although no one was punished for participating in it.

Jameson's revolutionary act caused great indignation among the Dutch of all South Africa and unified them in a determination to resist English aggression. It convinced the most conservative among the inhabitants that there was no limit to English perfidy and English dishonor. The Boers began at once to arm themselves and to fortify and to organize and drill all men between 16 and 60 years of age. Pretoria was fortified and works were constructed to command Johannesburg. Guns and ammunition were bought in Europe, and the miners were taxed to pay for these weapons of war. A treaty was made with the Orange Free State, offensive and defensive.

Members of the English Parliament have said recently that Kruger began his armament before the Jameson raid, with a view to driving the English out of South Africa entirely.

Mr. Drage, M. P., at Derby, December 7, 1899, said:

I charge conspiracy among the Dutch to overthrow English rule in South Africa. The armaments which have been accumulated for many years past, even before the Jameson raid, and the efficient drill and equipment of the Boers, alone showed what their ambitions have been.

The Boers have for nearly eighteen years been accumulating artillery, rifles, melinite, German and Hollandier officers with which to oust England from South Africa.

This statement is untrue, but it illustrates the English method of falsehood to justify crime.

In 1895, just before the Jameson raid, Cecil Rhodes sent Major White to Pretoria to see what arms Kruger had, in order to judge what force to send to make the raid successful.

White's diary was afterwards found with a memorandum of the guns he found at Pretoria.

1. One-half dozen very old pieces of ordnance.
2. One bronze gun of the date of the Second Empire.
3. A broken Maxim Nordenfeli.
4. A small muzzle-loader in bad condition.

Three Maxims and six other guns.

He says:

None of the guns I saw were fit for much work.

Captain Young visited Pretoria for the Times early in 1896, just after the Jameson raid, and he reports:

Orders for batteries of field guns, quick-firing guns, and Maxims, and for sufficient rifles to arm every Dutchman in South Africa were being sent to Europe. European drill inspectors were being imported and forts were being constructed around Pretoria on the most improved designs. One attempt had been made to take their country from them: they were thoroughly convinced that the attempt would be renewed at some future date, so the Boers were determined to be thoroughly on their guard the second time.

For 1892 the military expenditures of the Transvaal were \$150,000, and for 1893 they were less than \$100,000. In 1894 they were less than \$150,000. In 1895, the year of the raid—and there were rumors of the raid for weeks before it occurred—the military expenditures were \$435,000, and in 1896 the expenditures were \$2,500,000.

The St. James Gazette of the 29th of August, 1899, says that in September, 1895, President Kruger asked why the Chartered Company was buying hundreds of horses for presentation to the new Volunteer Rhodesian Horse.

The truth is that the Boers armed only for defense, and after the Jameson raid, and they have continued to arm ever since. They had good reason to prepare for protection, for they saw Chamberlain was still foreign secretary and had whitewashed Cecil Rhodes in Parliament, and England treated Jameson and his raiders as the heroes of the Empire.

Proof is abundant that English spies have been engaged in mapping all the roads, rivers, and defenses in both the Transvaal and the Orange Free State for the past two years. In 1899 England determined to make another effort to secure the gold mines, for their richness had been further demonstrated by the production of over \$80,000,000 in one year.

To accomplish this covetous design excuses must be produced for a quarrel. The English papers began to publish daily editorials rehearsing alleged wrongs perpetrated upon her subjects in the Transvaal. It was said they were taxed without representation, and a demand was made that the time required by the Dutch law to acquire the right to vote for members of both houses should be reduced to five years.

These assertions were formulated by Chamberlain, the minister for the colonies, and presented by the British representative at Pretoria, and then the British Government, for the first time in its history, presented the curious spectacle of one government endeavoring to compel another government to make it easy for her English citizens to renounce their allegiance to the Queen.

After negotiations had continued for several months, the government of the Transvaal surrendered to all the demands of the English, and sent the following communication to Mr. Chamberlain, through the English representative at Pretoria, who said there was no doubt it would be accepted:

DEPARTMENT OF FOREIGN AFFAIRS, GOVERNMENT OFFICE,
Pretoria, August 19, 1899.

SIR: With reference to your request for a joint inquiry, contained in your dispatches of August 2 and 3, the Government of the South African Republic have the honor to suggest the alternative proposal for the consideration of Her Majesty's Government, which this Government trusts may lead to final settlement.

1. The Government are willing to recommend to the Volksraad and the people a five years' retrospective franchise, as proposed by his excellency the high commissioner at Bloemfontein on June 1, 1899.

2. The Government are further willing to recommend to the Volksraad that 8 new seats in the First Volksraad and, if necessary, also in the Second Volksraad be given to the population of the Witwatersrand, thus, with the 2 sitting members of the gold fields, giving to the population thereof 10 representatives in a Raad of 36, and in the future the representation of the gold fields of this Republic shall not fall below the proportion of one-fourth of the total.

3. The new burghers shall, equally with the old burghers, be entitled to vote at the election for State President and commandant-general.

4. The Government will always be prepared to take into consideration such friendly suggestions regarding the details of the franchise law as Her Majesty's Government, through the British agent, may wish to convey to it.

5. In putting forward the above proposals the Government of the South African Republic assumes:

(a) That Her British Majesty's Government will agree that the present

intervention shall not form a precedent for future similar action, and that in the future no interference in the internal affairs of the Republic will take place.

(b) That Her Majesty's Government will not further insist on the assertion of the suzerainty, the controversy on this subject being allowed tacitly to drop.

(c) That arbitration (from which foreign element other than Orange Free State is to be excluded) will be conceded as soon as the franchise scheme has become law.

The Government trusts that Her Majesty's Government will clearly understand that in the opinion of this Government the existing franchise law of this Republic is both fair and liberal to the new population, and that the consideration which induces them to go further, as they do in the above proposals, is their strong desire to get the controversies between the two Governments settled; and, further, to put an end to the present strained relations between the two Governments and the incalculable harm and loss it has already occasioned in South Africa, and to prevent a racial war, from the effects of which South Africa may not recover for many generations, perhaps never at all.

Mr. Chamberlain rejected the reasonable proposals, and, instead of coming to a fair understanding, he increased his demands. The Boers were disheartened and grieved. Consequently the South African Republic withdrew its proposals and asked Her Majesty's Government to stand by the original ones.

Mr. Chamberlain replied by breaking off negotiations in the form of an ultimatum, saying:

The Imperial Government are now compelled to consider the situation afresh and formulate proposals for a final settlement of the issues which have been created in South Africa by the policy constantly followed for many years by the Government of the South African Republic (the Transvaal).

They will communicate the result of their deliberation in a later dispatch.

It was then September 22. The promised proposals were not forthcoming. The efforts of Mr. Green, the consular agent in Pretoria, were in vain. In the meantime and previous to these negotiations war preparations were going on, and a cry for war was heard in the English Parliament. To gain time was the scheme for the present until the British Government had a sufficient army landed, so as to dictate terms. The Boers waited until October, and then sent an ultimatum demanding that no more troops be sent to Africa pending negotiations and offering to arbitrate.

Mr. Chamberlain now replied that the Dutch were not an independent nation and that they were in revolt against their sovereign, the Queen of England. This was a position Mr. Chamberlain could not sustain, for after the Jameson raid, when he was criticised in Parliament, on May 20, 1896, he made the following statement:

In some quarters the idea is put forward that the Government ought to have issued an ultimatum, which would have certainly been rejected and which must have led to war. Sir, I do not propose to discuss such a contingency as that. A war in South Africa would be one of the most serious wars that could possibly be waged. It would be in the nature of a civil war. It would be a long war, a bitter war, and a costly war. It would leave behind it the embers of a strife, which I believe generations would hardly be long enough to extinguish. To go to war with President Kruger in order to force upon him reforms in the internal affairs of his State, in which secretaries of state, standing in this place, have repudiated all right of interference—that would be a course of action as immoral as it would have been unwise.

That declaration bears great similarity to the talk of our President when he announced that forcible annexation would be criminal aggression.

It is very appropriate that, as we should be trying to destroy a republic in partnership with England, the President's own words and Chamberlain's own words are sufficient to expose the duplicity of both.

In February, 1896, in a speech, Mr. Chamberlain made the following statement:

The answer which has hitherto been given, not on the part of the Transvaal, but on the part of some of its friends, was that to grant this request was to commit suicide, inasmuch as the moment the majority got the franchise the first use they would make of it would be to turn out the existing Government of the Transvaal and substitute a government of their own liking. (Hear! Hear! and laughter.) I confess I thought there was some reason in that objection. It is difficult to attempt to persuade anyone so capable as President Kruger that it would be desirable that he should proceed to his own extinction, and accordingly I brought before him an alternative suggestion, which, at all events, would relieve him from that difficulty. The question is whether President Kruger will consider that that proposal will endanger the security of the Transvaal Government. If he does, he will be perfectly justified in rejecting it.

James Bryce, M. P., in the North American Review, December, 1899, says:

Under the convention of 1884, which fixed the relations of Britain and the South African Republic, the latter had the most complete control of its internal affairs, and Britain possessed no more general right of interfering with those affairs than with the affairs of Belgium or Portugal. The suzerainty which has been claimed for her, if it existed (for its existence under the convention of 1884 is disputed), related solely to the power of making treaties and did not touch any domestic matter.

That which caused the war was the discussion of another matter altogether, which was admittedly not a grievance for the redress of which Britain had any right to interfere, and which therefore could not possibly amount to a *casus belli*. This matter was the length of time which should elapse before the new immigrants into the Transvaal could be admitted to citizenship, a matter entirely within the control of the Transvaal legislature.

It is the story of the diamond mines over again, with this exception: The Transvaal after the Jameson raid began to buy arms, and has become an arsenal of modern war equipment. Paul Kruger announced to the nations of the earth that, if they must

surrender their liberties, England would pay a price in human life that would stagger humanity.

But was there oppression in the Dutch Republic, of the uitlanders or miners, as they are called?

Thael says, on page 350 in his work on South Africa:

The great majority of the people engaged in the mining industry are English speaking, while the farming population is Dutch. The intercourse between them is, upon the whole, friendly, and each section certainly exercises considerable influence upon the other. In the legislature, however, the English-speaking section is almost powerless, and taxation is arranged so as to fall lightly upon agriculture. In other respects no one has anything to complain of.

Andrew Carnegie, in the North American Review for December, 1899, says:

In the Transvaal there was scarcely any people but the Dutch until the discovery of the mines, which have attracted foreigners from all nations, until to-day, by counting all foreigners as British, there may be a small majority against the Dutch; but these are not all British. Some estimate that there are not more than 6,000 British among the miners. Those of all other nationalities do not side with the British as against the Dutch. The vast majority of these, as well as of the British, are opposed to the present attack upon the Transvaal. Of this there can be no doubt. The people are working the mines, receiving enormous wages and only wish to be let alone. They do not wish to become burghers in order to vote; especially is this true of the British. I have peculiar means of knowing this. Several of the tenants upon my Skibo estates have sons or brothers in the mines, and I have from time to time been informed of the letters which they write home. There is one now in charge of an important mine whose letters are most significant. He stated to his father in one of these what I have already said, and that the Britons liked the Boers and did not wish to become burghers. They were there as Britons to make money and finally to return to their homes. They wanted no franchise. He stated that the petition to Her Majesty praying her to interfere was not generally signed by the Britons, and that many of the foreigners signed the petition believing it had reference to some dreaded temperance legislation in which they were deeply concerned.

H. A. Rose, formerly superintendent of the Homestake mine, in South Dakota, now engaged in mining in the Transvaal, writes a friend at Deadwood that the sympathies of most American miners there are with the Boers, and that many of them will fight in the ranks of the Dutch army. The miners are of the opinion that if the British conquer and get possession of the gold mines, which are the richest in the world, the miners' wages will at once be reduced.

William Adan, who left Sioux Falls, which is my home, some years ago for South Africa, writes that he left Johannesburg just three days before hostilities between England and the Boers commenced. He says that the war was uncalled for and that the so-called injustice of the Boer laws was greatly exaggerated by the British press. The Boers, he says, are a very temperate class of people, and the foreigner who behaved himself and acted like a man was respected by them and had no more trouble than in any other civilized community in the world.

Froude thus describes the Boers in his book Oceana, on page 42:

The Boer, as we call him, is a slow, good-humored person, not given to politics, occupied much with his religion and his private affairs.

The Boers of South Africa, of all human beings now on this planet, correspond nearest to Horace's description of the Roman peasant soldiers who defeated Pyrrhus and Hannibal. There alone you will find obedience to parents as strict as among the ancient Sabines, the severa mater whose sons fetch and carry at her bidding, who, when the sons go to fight for their country, will hand their rifles to them and bid them return with their arms in their hands or else not return at all.

They arrange their disputes with the natives with little fighting.

In the Transvaal a million natives live peacefully in the midst of them, working with them and for them. There has been no uprising of the blacks against whites in the Transvaal.

I have presented this evidence to show who the Boers are. Now, who are the Uitlanders? They all, or nearly all, live in Johannesburg, which is a city of 108,000 people, 23,000 women and 80,000 men. The whites number 60,000 and the blacks 43,000. There are 5,000 Chinese. Very few white women live in Johannesburg, and nearly all who are there are harlots. Chamberlain and the English Government pretend to the world that Great Britain was forced to go to war against the Boers to redress the wrongs of these unmarried men who are living there without family ties or social restraints, intending to remain only long enough to make their fortunes and then depart. These foreigners were not asking for the franchise, and now this young Republic is to be destroyed by England's mighty army because Paul Kruger would not turn his government over to this band of adventurers, to these men without families and the consorts of harlots.

Mr. President, it was not the alleged wrongs of the Uitlanders that caused the war. We must look for another reason. Any person familiar with English history for the past century will experience no trouble in reaching the cause.

I find the following in Reynolds's Newspaper, London:

1. The taxes in the Transvaal are levied on the rich and not on the poor. The Uitlander worker who earns from £5 to £10 a week is only taxed to the extent of 1s. per annum.

2. Wages at the Kimberley mines, under Rhodes & Co. and the British Government, are less by one-half than those of the Transvaal mines.

The Johannesburg capitalists have declared in print that so soon as Britain has annexed the Transvaal wages will be lowered by 40 per cent.

3. In the Transvaal Sunday labor is prohibited, and the authorities fine any employer who permits it.

In Kimberley, under the British flag, the mines are kept going seven days a week.

4. In the Transvaal the working day for both black and white men is eight hours by law.

At Kimberley black men are worked for twelve hours a day.

5. In Kimberley what is called the "compound" system is in force for colored men. This is slavery by another name. The Government of the Transvaal Republic will not allow the system to be introduced into the Transvaal.

6. At the meeting of the South African Chartered Company the other day, Earl Grey said that our—the British—Government would support the company in the introduction of native (black) and Asiatic (yellow) "labor" because of its "cheapness" as compared with white or British "labor."

The real motive for the war against the Boers is founded in English greed, in English cupidity, and in English dishonor.

Labouchere, M. P., in his paper, the London Truth, of January 18, 1899, says:

The real fact, as every day is becoming more clear, is that Mr. Rhodes wished to reacquire power in the Cape in order to sell his chartered company to us with the aid and approval of the Cape Colony, and that the mine owners in the Transvaal wanted to convert its government into an organization to crimp blacks and to force them to work in the mines. Admitting that we had cause to complain of the treatment by the Transvaal of our citizens in not allowing them to make a sufficient number of blacks work for them, we ought to have consented to arbitration, as suggested by President Kruger. The only reason we did not was that any independent investigation would have blown to the winds the fabrications of the South African League and of the Transvaal mine owners which were circulated by Mr. Chamberlain in order to arouse the passions of Englishmen at home to war point.

Mr. Frederic Harrison, one of the foremost men of England, has to say about this question of the franchise in the Transvaal. In an open letter to Lord Salisbury, the premier of Great Britain, published in the London Chronicle August, 1899, Mr. Harrison said:

"Measured by the compromises with foreign nations which you may justly claim to have brought to a successful issue, the concessions already accepted by the Republic are indeed decisive. From nine years to seven years, from seven to five years, from one demand of the outlanders to another, the Boers have given way. They have already conceded the whole of the original demand made upon them and have even added more. And at every fresh concession Sir Alfred Milner is instructed to make further demands, until throughout the Transvaal, and we may well add at home, the impression prevails that it is not concession of claims which is sought from the Republic, but submission, humiliation, and loss of independence. Is this how negotiations have been carried on, when you, my lord, as head of the foreign office have dealt with Russia, Turkey, France, or the United States? This is not negotiation. It is a war, war of naked aggression, war wherein the Boers will not yield without a desperate struggle and after bloody combats, a war which can not be closed by a few victories nor the traces of it wiped out by a few promises or proclamations, a war wherein many true and patriotic Englishmen devoutly trust that the Boers may not be ultimately crushed."

Mr. J. A. Hobson, in the London Speaker, asked "What are we fighting for?" And he then asserted that the mine owners in the Transvaal desired to overthrow the Republic so they could enact the same slave-labor laws in force at Kimberley; so that they could repeal the eight-hour law and compel the black laborers, at least, to work twelve hours a day; so that they could repeal the Sunday laws and run the mines seven days each week, as they do at Kimberley. Mr. Hobson says:

The attitude of the mining industry toward the Transvaal Government in respect of the labor question is instructive. Witnesses before the industrial commission at Johannesburg were unanimous in maintaining that it was the duty of the Government to procure a steady and sufficient supply of Kaffirs for the mines. The Government was called upon to accredit and assist agents of the mining industry to obtain native labor, to pay premiums to Kaffir chiefs, to furnish extra pay to the native commissioners for the same object, and to convey this labor "under supervision" to the mines, erecting "compounds" along the road, reducing railroad fares to one-third of the existing rate, and in a dozen other ways spending further money in serving the private interests of the mines. Why politics and economics are so closely connected that the public purse should be used to keep down the wages bill of the mines is not intelligible to English people. But it is perfectly clear that under a "reformed" government the mine owners will take every care to press these claims.

The testimony of Mr. Albu before the industrial commission at Johannesburg throws a great deal of light upon this feature of the case:

"The native at the present time receives a wage which is far in excess of the exigencies of his existence. The native earns between 50 shillings and 60 shillings per month, and then he pays nothing for food or lodging. In fact, he can save nearly all that he receives. If the native can save £20 a year, it is almost sufficient for him to go home and live on the fat of his land. In five or six years' time the native population will have saved enough money to make it unnecessary for them to work any more. The consequences of this will be most disastrous for the industry and the State. This question applies to any class of labor and in any country, whether it be in Africa, Europe, or America. I think if the native gets enough to save £5 a year, the sum is quite enough for his requirements and will prevent natives from becoming rich in a short space of time."

"You say the native does not require luxuries, and if he has worked for a year he has saved enough to go back to his kraal and remain idle?"

"Yes."

"Can you suggest any remedy for this?"

"The only remedy which I can suggest is that we pay the native a wage which, while enabling him to save money, will hinder him from becoming exceptionally rich."

"Is it in the control of the mining industry to regulate the wages of Kaffirs?"

"To a great extent—that is, if the Government assists us in bringing labor to this market."

Here, Mr. President, is the gist of the whole controversy. If the English Government conquer the Transvaal, they will take those people, as they did at Kimberley, to assist in bringing labor to the market. In fact, to-day there are four English colonies where the contract-labor system is in force—Jamaica, British Guiana, Mauritius, and Trinidad. There a system of slave labor exists enforced by the British Government, the laborers being imported under contract and driven to toil by their slave masters, punished if they are idle, fined, and compelled to have the hours which they shall toil regulated by the labor contractor; and an

English writer announces to-day that this is the proper system for labor in the Tropics; that no matter what country holds colonies in the Tropics, the labor system adopted by the English at Kimberley, in British Guiana, in Jamaica, and in Trinidad is the system for the best interests of the laborer and of the employer.

Mr. Hobson says:

If this war can be successfully accomplished and a settlement satisfactory to the mine owners can be reached, the first fruits of victory will be represented in a large, cheap, submissive supply of black and white labor, attended by such other economies of cost as will add millions per annum to the profits of the mines.

The blood and the money of the people of Great Britain are being spent for this purpose. No other definite, tangible result of the conflict can be shown. The men who, owning the South African press and its political organizations, engineered the agitation which has issued in this war are the same men whose pockets will swell with this increase. Open-eyed and persistent, they have pursued their course, plunging South Africa into a temporary ruin in order that they may emerge victorious, a small confederacy of international mine owners and speculators, holding the treasures of South Africa in the hollow of their hands.

Any person who will examine this disgraceful chapter of English history will find that the more closely it is looked into, the more shocking it becomes, and he will be led to marvel that the world looks on while the infamy is being accomplished.

The argument employed to silence the consciences of the small number of English people who are possessed of that moral faculty is that they propose to confer the blessings of English rule upon these people.

Is English rule such a blessing?

In India to-day 75,000,000 of enforced British subjects are starving, and Moreton Frewen, a prominent English writer, with an estate in Ireland, says the chief cause of this condition was the closing of the India mints to silver coinage, thus destroying the value of the savings of these people, which were in silver ornaments and bullion. We may add to this cause the vast sums taken annually from India by taxation to support a foreign army and a great foreign pension list.

Before English occupation a native farmer could not be deprived of his title to his land. No matter how deeply he might become involved in debt, the title to his home was sacred and could not be taken away. England changed the law and allowed the title to pass by foreclosure or by judgment for debt, and the result has been the same as it has been in every other place where similar practices exist—the usurers are acquiring vast estates, the independent land owners are becoming tenants and hence slaves, forced to take what is left of the product of their toil after their landlords are satisfied. These causes, all the result of English rule, have produced starvation in India every year, and in bad years, like the present, people die by millions. What is given in compensation for this horrid condition? The people of India have not adopted anything that is English. They are not Christians. They can not speak the language of their conquerors. In fact, England has never tried to Christianize them or teach them the English language. England's only incentive to the improvement of the Indian has been, how much money can our favored classes make out of India by exploiting the country for franchises and by taxation?

Mr. MASON. I would not interrupt the Senator but for the fact that he is just leaving the question as to the cause of the famine in India; and I wish to ask him, is it not also true that one of the principal causes of that famine is that the cereals of India which the natives raise are exported and taken away to England—that the very food they themselves raise is taken away from them?

Mr. PETTIGREW. Oh, yes, Mr. President. I say that, added to the fact that silver has been demonetized in India, comes the shipping away of vast sums to feed the British army and an enormous civil pension list. The food supply of India to the amount of \$150,000,000 a year is shipped away and sold for the purpose of paying a vast army of pensioners in England who have been engaged in the Indian service—either the civil or the military service. The balance of trade is in favor of India \$150,000,000 each year, but no money goes to India to square the account. It is squared by the pretended philanthropic services of the English civil service and the English army, who are there simply to advance the interests of English capital.

Mr. MASON. There are more people starving in India than the English are losing in the South African war.

Mr. PETTIGREW. There are fifty-odd million people in India to-day who are starving. In fact, 80 out of every 100 of the people of India never have enough to eat. Some few of the people have plenty of food, and 4 out of each hundred live in luxury. That is the effect of caste in India, and we are approaching the same condition of things in this country. It has been accomplished in India by ages of progression, but is being accomplished in this country by a few years of a different system.

Mr. GALLINGER. There is plenty to eat in this country.

Mr. PETTIGREW. The Senator from New Hampshire says he has plenty to eat.

Mr. GALLINGER. Mr. President—

Mr. PETTIGREW. I am very glad of that, but I presume there are people in New Hampshire who do not, as a rule, have plenty to eat, and there are some in all our great cities.

Mr. GALLINGER. Mr. President, if the Senator will permit, I did not say what he represents me as saying. I said our people were getting plenty to eat.

Mr. PETTIGREW. Well, I suppose the Senator is one of the people.

Mr. GALLINGER. I think the Senator's statement is hardly borne out by the facts, and I trust the Senator, at least, is not in that category.

Mr. PETTIGREW. Mr. President, the coal miner in Ohio in 1898 received \$192 for his yearly wage; and, with a family of five, that would leave \$39 per capita to furnish a home, education, food, and raiment for an American citizen and his family. Last year the coal miner in Ohio received \$241 for his yearly wage; which was about \$48 per capita to feed, to clothe, to educate, and to house his family. Whether they had enough to eat or not I have not investigated. I presume they would have been glad to have had more and better food than they could buy with such a wage. Further than that, the wages of the Ohio coal miner were less last year and the year before than were the wages of miners in Austria.

I have previously described Johannesburg, in the Transvaal. It is a typical English foreign settlement.

There are two other English colonies to which I will call your attention—Singapore and Hongkong. The latter is a city of 223,000 people (1891 census). The white population is 8,550, of whom 6,468 are males and 2,085 are females. The Asiatics number 151,100 males and 61,900 females. There are therefore 3 white males to 1 female, and almost three colored males to each female. Even the Asiatics recognize the character of the settlement.

In Singapore there are 184,500 people, 4,312 of whom are white males and 942 white females. There are 135,000 Asiatic males and 40,500 Asiatic females. The white males outnumber the white females more than 4 to 1, and the Asiatic males outnumber the Asiatic females more than 3½ to 1. In both of the typical English colonies even the Asiatics will not live with their families because of the vile character of the settlements. These colonies are little better than brothels, and these Englishmen are there only for purposes of trade. Their golden rule is to keep all they get and get all they can, as the first and the last and the whole duty of man, and the thought of benefiting the people over whom they rule never enters into their calculations.

The person would be simple indeed who believed these soulless adventurers were there to teach or practice the golden rule. Yet Kipling says they are there to "bear the white man's burden." At Singapore benevolent assimilation has done its work and has left impress upon the morals of the people.

The Statesman's Year-Book says that in Singapore there are 3,600 Eurasians. I looked to see what a Eurasian was and I found it was a person born of a European father and an Asiatic mother, and through further investigation I learned that not one in twenty was born in lawful wedlock.

The English army and the English police protect property and trade in these colonies, and that is the only boast England can lay claim to wherever her infamous heel has poisoned the earth.

England must rise or fall in her boast of power to govern others and confer the benefits of a Christian civilization upon them by the success or failure of her effort in India; by the success or failure of her effort in Singapore; by the success or failure of her effort in Hongkong, in Jamaica, in Trinidad, in fact, wherever she has planted her flag; and I defy any person to find a colony under English rule, not composed of Englishmen, where they have not been miserably cursed by her presence.

Nothing that is good, nothing that is beneficial, nothing that is of advantage to those people has been conferred by England's presence, until to-day she is hated wherever she is, and it would be a blessing to mankind if she were driven from those countries.

Mr. President, there are many noble Englishmen—Matthew Arnold, John Stuart Mill, John Morley, James Bryce are examples which would honor any land or any race; but these men have no influence and exercise no force in shaping the political and industrial elements that control the English Government. The governing classes of England are governed by but one motive—greed—and to satisfy greed they engage in plunder. They have no higher aim than that which rules the highwayman. They hate and despise all other nations and all other races of men. If they bestow the flattery of friendship upon any nation or any man, it is to enable them to use the intended victim of their mercenary attentions. They scheme to reap an advantage by a pretense of friendship. That is the pretense they are trying to play upon the people of the United States to-day, and I am sorry that they have found a foothold with a so-called American Administration.

Through all time, with what brutal contempt they have looked down upon and despised the Irish people. Just now they find it to their advantage to extol Irish bravery. You may travel around the world and make it a point to associate with the English residents and travelers in every country, and you will find that, which I have found, to be the fact.

In this connection I quote from a letter written by a graduate of Harvard College, who has been in almost every country upon the globe. He says:

I was brought up in an atmosphere of great admiration for England—

If he was brought up in Massachusetts, that is pretty hard on Massachusetts—

and I was an ardent admirer of Great Britain, but after I have traveled in almost every country of Europe and Asia, and met the Briton home and abroad, I came to know that in Germany the British spent their time cursing the Germans. In France they cursed the French. In their own colonies they curse the natives. In Japan they loathe and despise the Japanese. In China no words are too strong to express the British contempt for the average Chinaman. In India they kick and cuff and swear at the natives of India. By mere contact with the British race I have got so I can scarcely speak of them without intense prejudice. I believe that the average Briton, unless you entirely sympathize with him in his prejudices, is the most prejudiced and meanest man in the world. He will have nothing to do with you unless you swing in line with his prejudices.

He must be exceedingly gratified with the present condition of this country, for the Englishman writes our treaties; and when we amend them, they are submitted to him to ascertain whether or not he is willing to accept the amendment previous to our action. I will quote further from this letter of my friend:

As for the boasted freedom of the English courts, from actual experience I think it is all humbug. The British courts are settled in injustice. I had rather be tried by a German or even a Russian court than by an English court. I saw a woman tried in an English court in one of the countries of Asia, and it was utterly shocking to me to see what that woman had to endure. She was charged with having given poison to her husband. I believe her to be innocent to-day, yet the whole community had not a single Englishman who did not vent his British prejudice against this poor woman.

She was sentenced to death, but the sentence was commuted to life imprisonment, and there it will end. I don't believe that the British Government, in its most generous mood, ever mitigated a sentence beyond life imprisonment when it concerned a woman. I should judge that there was solid satisfaction in the whole of England whenever a woman was condemned by the court. Of course the ultimate quality of an Englishman is hypocrisy. Wherever he goes he criticizes from his peculiarly hypocritical point of view. If he goes to a French colony, he has unlimited sympathy for the natives who are crushed by the French Government. But if he goes to an English colony, he loathes and despises the natives. I have read in a number of books where Englishmen have traveled in the colonies of foreign nations. Never once have I seen the slightest evidence of fair judgment toward the governing power. It is only the English who understand liberty, and yet they are the most utterly illiberal people toward others in their mode of government on the face of the earth. God help those who are under British rule!

The English Government is organized to promote the getting of property, no matter who produced the property, and to the protection of that property after it has passed into English hands.

This force moves England's navies and sends her armies into distant lands to murder and to rob the weaker nation of its share of the earth.

The rights of man have no place in England's moral or legal lexicon. This is true to such an extent that even in England her courts punish for offenses against property ten times more severely than for offenses against the person. For years London Truth has published in parallel columns the punishments administered for petty thefts and trespass and for brutal assaults, in order to try and correct this abuse, but to no purpose, for English thought has been directed so long to the idea that property is sacred above all things and that the things man produces are more important than the man, that only a revolution in English sentiment can work the needed change; and that revolution can and will come only when the English Empire is dismembered and destroyed, and from its embers shall arise the new Englishman, believing in the rights of his fellow-men in place of the long-existing belief that no people have rights an Englishman is bound to respect.

During the reign of Victoria England has evicted from their homes in Ireland 3,668,000 Irishmen, and 4,185,000 Irishmen have left Ireland and gone to seek homes elsewhere, while during this reign over 1,200,000 people have died of starvation in Ireland. Yet in the midst of the most acute famine experiences vast quantities of food produced in Ireland were shipped to England to appease the appetites of English landlords, while the men, women, and children whose labor produced the food in Ireland died of starvation for the want of what their toil had earned, and the same thing is seen every year in India and is intensified to-day. Irish evictions were always made in the Queen's name. Gladstone said in Parliament: "We are particeps criminis. We with power in our hands look on." Taxation in Ireland to-day is very much higher than it is in England. Moreton Frewen, who is an English landlord with an estate in Ireland, is my authority for this statement.

Mr. President, I hope the day will come, and I hope the Transvaal war will furnish the opportunity, when Ireland will rise in her might and drive every English soldier into the sea and every English landlord from her soil. That island belongs to the people

who till it. Confiscation of the rights of the nonresident landlord would be eminently justified in their case.

But how fares it with India? In the reign of the present monarch over 12,000,000 people have perished from starvation, and this year, the worst of all, that number is likely to be exceeded, as efforts for relief are almost suspended while the English nation spends its money and sheds the blood of its people in an effort to steal the Transvaal gold mines, so that her overrich may reap greater profit and employ slave labor to work the mines. But the opium trade flourishes and is profitable, for that is a government monopoly in India, and over the factories the English flag floats, and upon every package of the deadly drug is the stamp of Victoria and her coat of arms.

During the reign of Victoria, England has been engaged in forty wars, and in every one she was the aggressor. These have been wars of conquest and of plunder. During all this bloody and terrible reign the sun has arisen each morning to be greeted in its course around the world by the shrieks of her victims and the sound of English guns employed to murder those who resisted her oppression and gave up their lives in the vain effort to stay the course of English greed.

But the reflex influences of this half century of wrong to others have worked the ruin of the English race at home. One-tenth of her people are paupers; 66 per cent are without property and do not own the shelter over their heads or one foot of the earth on which they live.

Her yeomanry of the last century have disappeared forever. The lands they tilled are in pastures and in parks.

For the first time in history the English troops were beaten in and turned back by the people of central Asia in 1897.

Soldiers are not bred in the slums of cities; they are not recruited from the families of paupers; and if it were not for the contingent furnished by Ireland and Scotland and the recruits from the farms of Canada and Australia, the English armies in South Africa would long ago have been driven into the sea. The English soldier from England will no longer fight. Four hundred and fifty Boers attacked Spion Kop and killed and wounded 2,000 and drove those who were left to their defenses. The same story, wherever England has met white men for years, has been told. Fighting naked savages has become her business, the only business at which she is successful; and yet this work is the white man's burden, which we are asked to help bear.

England carries on these wars against the poorly armed people of Asia and Africa with the most cruel and savage barbarity. First the foe, often armed with old muzzle-loading rifles or spears, crowded together, without artillery, are mowed down by rapid-fire guns, and the survivors are demoralized. Then English mounted lancers charge the fleeing mass, overtaking individuals here and there and running them through the backs with their lances, keeping count of their victims and boasting of the number slain. Those left upon the field who are wounded are then murdered in cold blood. In the Soudan, in 1898, Kitchener fired upon crowds of women and children and killed hundreds at Omdurman.

Why is the lance longer used in modern warfare? Why are English horsemen armed with lances, the remotest relic of barbarism in connection with war? It is simply for the fun of what they called, when the war opened with the Boers, "pig-sticking." Is it not time that the civilized nations of the world rose and stayed the course of this nation which carries the black flag and is engaged in the murder of our fellow-men throughout the world?

Here is a picture of the Soudan campaign of 1896, from Winston Churchill, in the London Post, September 29, 1898:

We had not gone far when individual dervishes began to walk toward the advancing squadrons, throwing down their weapons, holding up their hands, and imploring mercy. The laws of war do not admit the right of a beaten enemy to quarter.

The victor is not obliged to accept surrender. This is the new English doctrine of war. Churchill does not say what was done, but there is no doubt these supplicants for mercy were murdered on the spot.

Mr. E. N. Bennett, in the January Contemporary Review, related what he saw in the Soudan campaign:

All the wounded were killed and then robbed. This slaughter of the wounded was not confined to Arab servants. It was stated that orders were given to kill the wounded. Certain it is no protest was made when scores of wounded were dispatched. The dervishes, who were stretched on the sands within a few yards, were bayoneted. Arabs, who lay further out in the desert from the line of march and happened to move or turn over in their agony, were instantly pierced with bullets. On some occasions shots were fired into the bodies of wounded men at such close quarters that the smell of burning flesh was sickening.

After the battle of Omdurman, dervishes, who lay with shattered legs or arms, absolutely without weapons, were bayoneted and shot without mercy. Our own British soldiers took part in it. On the west slopes of Surgham I noticed a fine old Dervish, with a gray beard, who was disabled by a wound in his leg. About 8 yards from him was his son, a boy of 17, whose leg had also been lacerated by a bullet. Both were without arms, yet an Englishman stepped out of the ranks and drove his bayonet through the old man's chest. The old man begged in vain for mercy and clutched the soldier's bayonet, reddening his hands in his own blood in a vain attempt to prevent a second

thrust. No effort was made by officers or men to prevent the murder, and the report was that General Kitchener had given orders to kill all wounded.

This is from an English correspondent, who relates what he saw with his own eyes:

No attempt was made for two days to do anything for the wounded Dervishes.

Except to murder and rob them.

General Kitchener returned from these terrible scenes with the blood of thousands of murdered men, women, and children on his hands, and urged Christian England to forget his barbarity and subscribe a fund to build a college at Khartoum to teach Christianity and English civilization. I can imagine the children, whose fathers and mothers had been thus barbarously murdered, flocking in numbers to become students of a civilization and a religion that had deprived them of their parents—and the justification for all this was that their purpose was to benefit and bless mankind.

Hear the canting Salisbury, at a dinner of the Constitutional Club, London, December 16, 1898. Referring to the Soudan campaign, he said:

The Empire is advancing and must advance. The great strength you have must be used unflinchingly, unsparingly, but still prudently, for the advancement of the interests of the Empire and for the benefit of mankind. That we have used the force intrusted to us not violently, not sentimentally, but with calm and courageous calculation for the advancement of the interests of the Empire and the benefits of the civilization of mankind.

The cargo of an English ship starting to the Tropics on a mission of civilization and Christian mercy is made up of an assortment of merchandise, among which may be found rum and opium, with the Queen's stamp upon them. There are Bibles, English harlots, and the missionary to go before and open the way for the introduction of the rest of the cargo, until a colony is built up like Singapore and Hongkong. No wonder, with these experiences fresh in their minds, that the Asiatics do not embrace Christianity.

Our imperialistic friends and the President favor taking tropical colonies and holding them, after the English model, on the plea of duty to mankind, and the President employs fine passages of hypocritical cant borrowed from England's long experience. We are told we should join England in her work and help bear the white man's burden. We are told that now is the moment when the destiny of Anglo-Saxon civilization hangs in the balance, and we must take up the burden and spread civilization and enlightenment and Christianity, after the English fashion, over that portion of the world not yet cursed by the blight of English presence; that England has been doing the work for a century, and now she falters and finds the burden too great to bear. Jealous rivals covet her empire and her dominions; that the great prize at stake for mankind is Anglo-Saxon dominion and lordship over the world; that dominion after the English fashion it is our duty to uphold; that it is God's work, and that He desires we should make England's struggle our own. And so imbued has the President become with this idea that he has pursued a course that has led the whole world to believe he has made at least a verbal alliance with Great Britain to render aid, if occasion requires. The effect of our attitude has been to prevent the nations of Europe from helping the South African republics.

Therefore our duty is plain. We should pass this resolution of sympathy with these struggling Republics. We should show the world that England can not rely upon us for support in any form. We should encourage and counsel with her enemies. We should show to the whole world that we condemn her course in South Africa.

I spurn an English alliance and English sympathy. I want nothing to do with that nation of robbers and murderers, unless it be to join the other nations of the earth in a notice to England that she must close her career of piracy, must pull down her black flag, and withdraw her armed forces from all her colonies and allow them to be free. Rather than join in this unholy work, called by that poet of blood "the white man's burden," let us emulate the example of our forefathers and be again the champions of all men struggling to be free, the example to the world, the proof to mankind that a nation of freemen can do right, can be just, can resist the temptation to conquer and oppress, and that we hate injustice. Let us exhibit the example of a government conceived in liberty and dedicated to the proposition that all governments derive their just powers from the consent of the governed, and demonstrate that this Government, so conceived and so dedicated, a government of, for, and by the people, shall not perish from the earth.

CIVIL GOVERNMENT FOR ALASKA.

Mr. CARTER. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 3419) making further provision for a civil government for Alaska, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana? The Chair hears none.

Mr. QUARLES. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Wisconsin?

Mr. CARTER. I yield to the Senator from Wisconsin for a moment.

PORT OF GREENBAY, WIS.

Mr. QUARLES. I ask unanimous consent for the present consideration of the bill (H. R. 963) to extend the privileges of the seventh section of the act approved June 10, 1880, to the port of Greenbay, Wis. It is a very short bill and it is unanimously recommended by the committee. There will be no objection to it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SPANISH AND AMERICAN CLAIMS COMMISSION AWARDS.

Mr. COCKRELL. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Missouri?

Mr. CARTER. I yield to the Senator from Missouri.

Mr. COCKRELL. I ask unanimous consent for the present consideration of the bill (S. 558) to make disposition of the increment and accretions upon the sums reserved by the Department of State from the fund received by the United States upon the account of the payment of the awards of the late Spanish and American Claims Commission, and to pay and distribute the same. The bill simply provides for the distribution of the balance of \$14,000, and is reported favorably by the Committee on Foreign Relations. It is a short bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Foreign Relations with an amendment, to insert, after the word "Congress," in line 5, on page 2, the following:

And the sum of \$14,485.50 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Secretary of State to carry out the provisions of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CIVIL GOVERNMENT FOR ALASKA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3119) making further provision for a civil government for Alaska, and for other purposes.

Mr. CARTER. I am advised that the Senator from North Dakota [Mr. HANSBROUGH] is detained from the Senate to-day by illness, and in consequence the amendment offered by him can not be proceeded with without some discourtesy to the absent Senator. I therefore suggest that it go over for the day and that other amendments contemplated or to be presented to the bill be now offered.

Mr. STEWART. I should like to call the attention of the Senator from Montana to one point.

Mr. CARTER. Will the Senator from Nevada permit me for a moment?

Mr. STEWART. Certainly.

Mr. CARTER. Before proceeding, I desire to say that upon Monday next it is earnestly hoped the bill may be finally disposed of. I have heretofore taken occasion to urge upon the Senate the necessity of prompt action upon this bill. It is very voluminous, and yet it is exceedingly difficult to discern in what respect it can be limited in volume or extent.

This morning I received from the Attorney-General a letter in which he states:

I inclose herewith for your information a copy of a communication from Major Ray, commanding officer of the district of north Alaska, reviewing the situation as to civil government in that section.

The communication of Major Ray is very suggestive and instructive, and to the end that all points covered by it may become known to Senators I ask that it be read from the desk. It is a graphic picture of conditions existing in northern Alaska and the strongest kind of a plea for the passage of the bill which has been before the Senate for some time.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

CIVIL GOVERNMENT IN NORTH ALASKA.

HEADQUARTERS DISTRICT OF NORTH ALASKA.

Fort Egbert, Alaska, December 31, 1899.

The ADJUTANT-GENERAL UNITED STATES ARMY,

Washington, D. C.

(Through Headquarters Department of the Columbia.)

Sir: With the close of the year I have the honor to report that the situation of north Alaska as to civil government remains unchanged. While at the last session of Congress a criminal code was established, no machinery

was provided to properly enforce it. The United States district judge, who resides at Sitka, passed down the Yukon in August, but did not stop at any one place long enough to hold court or to hear cases over which his court only has jurisdiction.

He appointed several court commissioners and deputy United States marshals. Such commissioners having, under the law, the powers of a justice of the peace in criminal cases only, and being without money, jails, court-houses, or any means of conducting their courts, except on credit, they have been of but little service. The attainments of some of the appointees do not demand that respect that a representative of the United States judiciary should in a country like this.

In civil cases no court has been established, except at Sitka, that has jurisdiction, and there is no officer north of that point before whom a civil suit can be commenced.

The practical operation of this condition leaves all of north Alaska without any court to which the citizens can appeal, owing to the time and expense attending the process of bringing suit, and even the commissioner's court is too expensive a luxury to be indulged in except by the most opulent.

Where it is a question of title or ownership there is no court that has the power to issue an injunction or a restraining order pending action by the Sitka court. Consequently many serious complications are arising out of disputed title to placer mines, owing to the fact that the delay incident to filing information in the court at Sitka gives either party ample time to take from the ground all the valuable mineral before any action can be had in determining title by the court.

Where action in determining title by a miners' meeting I interfere to restrain until such time as both parties can get into court, but individual disputes I am unable to adjust. Crimes arising out of such disputes do and will occur, and are only incident to the conditions that exist here.

To me the most remarkable feature is the peaceable character of the population all along the Yukon Valley. In an experience of over thirty years along our frontier I have never seen so little crime in proportion to the population and the interests at stake. It will be a great misfortune if the present Congress does not give to this north country a well defined civil government, fully adequate to settle all questions that may arise, with judicial districts easily accessible to the people living in the interior. The people have just cause for complaint when a Government like ours forces any portion of its citizens to make a journey half around the world to get an appeal for justice, for, measured by the time and expense it takes to make the journey, it is farther, for nine months of the year, from here to Sitka than it is from Washington to the Philippines. The salaries paid to the officials now authorized is a mere pittance compared with the cost of living, and bars the securing of competent men unless they devote their time to their personal interests instead of their duties. This should be recognized, and such salaries paid that men of ability and integrity could afford to take the offices and refrain from becoming interested parties in the matters they may be called upon to adjudicate.

At Anvil City, I learn from an officer in command there that the citizens have organized a full municipal government, with the necessary constables and police to preserve the peace, with most satisfactory results; but here at Circle City and Rampart City no such action has been taken, which I am of the opinion is owing to the fact that the transient element so largely predominates. They are here solely for what they can make, and naturally defeat any attempt of the citizens who are here to stay to organize any government that the people must support by taxation. Knowing the country and the character of the people as I do, I am strongly of the opinion that it is not for the best interests of the country or the people now here or who may come in the near future to give the same form of Territorial government (except as to judiciary) to Alaska as that given to the Territories in the United States proper.

An election by the floating population for the local civil officers would be a farce. The real resident would not, as a rule, be elected. The majority, with their officers, would migrate with the first rush to a new discovery. The conditions demand strong, quick action for the criminal class, and a conservative, simple government until the period of extreme inflation and excitement has passed; and all officials should be of a class not dependent upon the popular suffrage for office. The vast resources of this region, now just becoming known, should not be further jeopardized by allowing the country to drift into a condition of anarchy. That an abnormal condition of affairs exists should be fully recognized and met by proper laws suited to this country and its interests, which are often the opposite that exist in the United States proper. One of the most important interests that requires legislation is that of placer mining.

Very respectfully,

P. H. RAY,

Major, Eighth Infantry, Commanding District.

Mr. CARTER. Major Ray, the writer of the letter which has just been read, has been on duty in the district of Alaska for well-nigh two years. He is an intelligent officer and an acute observer of conditions. It is fortunate, indeed, and a subject of congratulation that the bill now before the Senate, which was framed without consultation with that officer, practically meets every suggestion made by him from an independent point of view.

I have heretofore taken occasion to suggest that a large number of people would go into the gold regions of Alaska during the coming summer. I placed the number at 100,000. Persons unfamiliar with conditions have flippantly regarded the figures thus stated as extravagant and impossible. There are now between 30,000 and 40,000 residents in Alaska; probably 20,000 to 25,000 persons in the vicinity of Dawson City and in the district known as the District of British Columbia, in the Canadian country.

The miners will not go exclusively by steamer to Cape Nome and St. Michaels. It is a fact not generally known, but nevertheless a fact, that a railway has been constructed from Skagway, at the head of the Lynn Canal in American territory, across the mountain range to the head waters of the Yukon River. That railroad has been in operation for some time, and is being rapidly constructed down the Yukon River to a point near Dawson City. Over this line of railroad, connected with steamers that pass to and fro several times each week from Seattle, Portland, and other points on Puget Sound, passengers, prospectors, miners, and their supplies will find way into the district of Alaska, with a view to exploring the vast mineral deposits of the Yukon Valley.

The number of persons who will go to Cape Nome the coming summer will be limited only by the transportation facilities, and

I do not think it is at all extravagant to suggest that the laws we have in contemplation now embodied in this bill proposed to be enacted into law will apply during the coming summer to more than 100,000 residents or inhabitants of Alaska. The failure to pass the bill will, as Major Ray suggests, invite anarchy and confusion, which will be distressing to the unfortunate people there and a disgrace to the Congress of the United States.

In view of the necessity for prompt action upon this bill, if it is to be made a law at the present session, I feel called upon now to say that upon Monday next, when the attendance of the Senate will be more full than at present, I shall ask unanimous consent for the fixing of an hour for a final vote upon the bill and all amendments pending at the hour agreed upon.

But two amendments remain to be seriously considered, one being the amendment proposed by the Senator from North Dakota [Mr. HANSBROUGH] and the other proposed by the Senator from Tennessee [Mr. BATE]. The amendment of the Senator from North Dakota refers to certain mining rules and regulations and the presentation of proofs—the raising of issues in the course of litigation.

The amendment of the Senator from Tennessee proposes the submission to a jury of contempt cases in certain instances. The amendment the Senator from Tennessee can explain, I assume, within the limits of an hour, and I do not think that the debate upon the amendment proposed by the Senator from North Dakota can extend much beyond that limit.

So, when the proposition is made on Monday morning to take a vote at 4 o'clock on Monday, or at 4 o'clock Tuesday, if desired, upon the bill and all pending amendments, I trust that Senators will be prepared to propose such amendments as they have in contemplation, to the end that they may at that time assent to the fixing of an hour for a vote.

There is a matter of detail, Mr. President, which may be acted upon in the absence of the Senator from North Dakota. I suggest an amendment, which is one of detail, on page 325 of the bill, and which I will ask the Senate to pass upon: After the word "court," in line 10, section 47, that is at the bottom of the page, I move to insert what I send to the desk.

The PRESIDENT pro tempore. The amendment will be read. The Secretary read as follows:

The secretary of the district shall collect \$5 for each certificate of appointment made under this chapter, and disburse the same as provided in section 32, Title I, chapter I, of this act.

Mr. CARTER. The purpose of this amendment is to authorize the secretary of the district to collect a fee of \$5 from each person appointed a commissioner of deeds in any State or Territory without the limits of Alaska. The section referred to, which controls disbursements, provides that a like sum shall be collected from each person appointed a notary public in the district of Alaska, and the sum thus collected shall be used as a library fund for the district, the object being to lay the foundation for a historical library for the district of Alaska. The section provides for the collection of such curios as may be of historical interest, and the collection of such books and periodicals as may have been or may hereafter be published in the district, and such other matter as may to the governor and Secretary of the Interior appear appropriate for collection in a historical library. This amendment would add a small amount to the sum thus provided, which in the aggregate would not exceed \$1,200.

The PRESIDENT pro tempore. The amendment will be agreed to without objection. It is agreed to.

Mr. STEWART. Mr. President, I wish to call the attention of the Senator from Montana to the amendment that was proposed to section 26, page 23. I think that some of the provisions of that amendment were adopted without understanding the exact facts. I did not understand the full provision myself at the time, and I had not examined the report of the Secretary of War with regard to what he had done. It was supposed that he had made regulations, and I was laboring under that impression, in granting permits between high and low water where miners might work, and that he had granted permits which were working a monopoly. I find that that is not the case. The Secretary's order and his proceeding there were very proper and necessary. The applications which were made were applications for permits to mine below mean low tide in the ocean. Of course mining rules and regulations could not be applied, and before any person could afford to make the expenditure necessary to mine in the ocean he would have to have some space upon which to work. Besides, such persons would be liable to criminal prosecution, to arrest, and all that, for interfering with navigation, and it was not only right and proper, but necessary, that they should have a permit from the War Department to mine; that there should be some space designated to them so that they could make the investment.

I think perhaps there is only one criticism to be made. The order says mean low tide. I think it might be confined to low tide and satisfy everybody. But these permits are necessary and proper. I will state that the Senator from Washington [Mr.

TURNER], who introduced the amendment, is not here. I called his attention to it this morning, and told him that the report from the Secretary of War made it entirely proper, and he appeared to concur with me. I think he has no objection to the amendment I shall now propose.

Then there is another matter that was in the law passed in 1898 with regard to homesteads which left a space between the homesteads and also provided for a roadway parallel with the coast. That was manifestly intended to apply to agricultural lands, but it is construed by some to apply to mineral lands and town sites. Everyone recognizes that that ought to be corrected. I have drawn a substitute for the amendment which was submitted by the Senator from Montana and adopted by the Senate, which I think will meet all the situation and will be satisfactory to everybody.

Provided further, That subject only to such general limitations as may be necessary to exempt navigation from artificial obstruction all land and shoal water above low tide on the shores, bays, and inlets of Bering Sea, within the jurisdiction of the United States, shall be subject to exploration for gold and other precious metals by citizens of the United States or persons who have legally declared their intention to become such, under such reasonable rules and regulations as the miners in organized districts may have heretofore made or may hereafter make governing the temporary possession thereof for exploration and mining purposes until otherwise provided by law: *Provided further*, That the rules and regulations established by the miners shall be in conformity with the mining laws of the United States, and all permits heretofore or hereafter granted authorizing any person or persons, corporation or company, to excavate or mine under any of the said waters are limited to lands below low tide: *And provided further*, That the reservation of a roadway 60 feet wide under the tenth section of the act of May 14, 1898, entitled "An act extending the homestead laws and providing for right of way for railroads in the district of Alaska, and for other purposes," shall not apply to mineral lands or town sites.

The PRESIDENT pro tempore. The Senator from Nevada will suspend one moment. The Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 2355) in relation to the suppression of insurrection in and to the government of the Philippine Islands, ceded by Spain to the United States by the treaty concluded at Paris on the 10th day of December, 1898.

Mr. STEWART. I will state that the amendment of the Senator from Montana has been passed upon, but I ask that by unanimous consent it may be reconsidered, and I trust that the chairman of the committee will accept this substitute.

Mr. CARTER. I ask unanimous consent that the unfinished business be laid aside without prejudice, to the end that we may proceed with the consideration of the Alaskan bill.

The PRESIDENT pro tempore. Is there objection to the request made by the Senator from Montana? The Chair hears none.

Mr. FAIRBANKS. The amendment proposed by the Senator from Nevada—

Mr. STEWART. My amendment does not come in until I get consent to reconsider the other amendment which was adopted by the Senate. I want to offer this as a substitute. I ask unanimous consent that the amendment for which this is a substitute and which was adopted, to come in at the end of section 26, on page 23, be reconsidered, with a view to offer this as a substitute.

The PRESIDENT pro tempore. The Senator from Nevada asks unanimous consent that the amendment heretofore agreed to on page 23 be reconsidered. Is there objection? The Chair hears none.

Mr. STEWART. Now, I offer what I send to the desk as a substitute for that amendment.

The PRESIDENT pro tempore. The Senator from Nevada offers an amendment as a substitute for the former amendment, which will be read.

The Secretary read as follows:

Provided further, That subject only to such general limitations as may be necessary to exempt navigation from artificial obstruction all land and shoal water above low tide on the shores, bays, and inlets of Bering Sea within the jurisdiction of the United States shall be subject to exploration for gold and other precious metals by citizens of the United States or persons who have legally declared their intention to become such under such reasonable rules and regulations as the miners in organized districts may have heretofore made or may hereafter make governing the temporary possession thereof for exploration and mining purposes until otherwise provided by law: *Provided further*, That the rules and regulations established by the miners shall be in conformity with the mining laws of the United States, and all permits heretofore or hereafter granted authorizing any person or persons, corporation or company to excavate or mine under any of the said waters are limited to lands below low tide: *And provided further*, That the reservation of a roadway 60 feet wide, under the tenth section of the act of May 14, 1898, entitled "An act extending the homestead laws and providing for right of way for railroads in the district of Alaska, and for other purposes," shall not apply to mineral lands or town sites.

Mr. CARTER. Mr. President, the difference between this amendment and the amendment which was adopted on a former day goes to the merits of a controversy raised by the resolution of inquiry presented by the Senator from the State of Washington [Mr. TURNER]. That inquiry was directed to the Secretary of War, and required him to advise the Senate what, if any, permits had been granted to excavate along the shores of Bering Sea; and what, if any, rights or privileges had been granted in reference to the subject. The Secretary of War, in response to that resolution, replied that numerous applications had been made under a statute

which he cited, and that certain permits had been granted, one to an individual in the State of Washington, another to an individual in the State of Ohio, and that others would be granted from time to time as formal application happened to be made.

In the case of the individual to whom a permit was granted in the State of Washington, it appeared by the appendix attached to the report of the Secretary that the right was given, which in itself constituted nothing more than an exemption from criminal prosecution, to the person named in the permit to excavate sand along the shore of Bering Sea near Cape Nome for a distance of 2 miles and a width of 500 feet extending out from low-tide line. Another permit was granted for a distance of 3 miles along the coast of the same width, to wit, 500 feet.

This report of the Secretary of War led to what seemed to me to be a line of unjust comments in this Chamber. It was claimed that he had no legal authority to grant the permit, to begin with. It was asserted that this granting of permits constituted a high-handed species of favoritism; that it gave to the individuals who possessed the permits special rights and privileges not granted to or intended to be granted to other persons. For a time the debate in the Chamber was of a stormy, vehement, and acrimonious character. It seemed from the statements made by Senators that the Secretary of War had been guilty of high crimes and misdemeanors in connection with the proceeding.

It was argued upon this side of the Chamber, and I believe is insisted still, that the action of the Secretary of War was regular, not extraordinary, not without authority of law, in conformity with a regularly established routine business regulation in the War Department, and in conformity with the provisions of a statute of the United States. Senators, however, on the other side of the Chamber continued to insist that it was a grave abuse of executive power; that no authority could be found in the statute for the granting of the permits, and that it should be stopped.

To the end that citizens of the United States might be permitted to get gold out of the sand along the shores of Bering Sea, if they could, the amendment which appears in the bill on page 23 was presented by me, and provided in substance that at any point in the shoal waters of Bering Sea citizens of the United States, or persons who had declared their intention to become citizens, under such rules and regulations as the miners themselves prescribe, not in conflict with the laws of the United States, might proceed to occupy, temporarily possess, and mine for gold or other precious metals along those shores to such an extent as would not interfere with navigation.

That is the amendment as it appeared in the bill when the request for unanimous consent was presented by the Senator from Nevada. Now the Senator proposes a substitute for that amendment.

Mr. SPOONER. On what page is that?

Mr. CARTER. At the bottom of page 23 the amendment came in, and the amendment as finally adopted will be found in the RECORD of March 27, on page 3575.

Mr. President, it is for the Senate to determine in passing upon the substitute proposed by the Senator from Nevada whether the contention of those who assailed the Secretary of War was well or ill founded. If Senators who charged the Secretary of War with transgressing or going beyond the limit of legal authority are willing to accept the view of the Senator from Nevada that a mistake was made in that behalf, I have no objection to offer, because I believed at the time, and I believe now, that the Secretary of War acted strictly within the limits of his legal authority, and that the method of procedure inaugurated by him was wise and entirely justified by the conditions.

Mr. PETTUS. Mr. President, will the Senator allow a question?

Mr. CARTER. Certainly.

Mr. PETTUS. Where is the law under which the Secretary of War had power to do that thing?

Mr. CARTER. The law is cited in the report of the Secretary of War in reply to the resolution. A copy of that report I will procure and have delivered to the Senator for his information.

Now, I am advised by the Senator from Nevada that the assault upon the Secretary of War was ill-timed, and that those who made the inquiry and severely commented upon the action of the Secretary of War, being advised of the error of their way, desire the amendment proposed by the Senator from Nevada to be incorporated in the bill.

That amendment in effect proposes that between low and high tide on the shores of Bering Sea and its inlets the miners of the district may make rules and regulations governing the location of claims, such rules and regulations not to be in conflict with the laws of the United States; and that below low-tide line the Secretary of War may continue, as heretofore, to issue permits to persons desiring to dredge in the sands and attempt to get the gold that is supposed to be lodged there.

Mr. BATE. Mr. President, this seems to be a very grave question and goes back over the ground we have once traveled, touching the right of the Secretary of War and his action in granting

permits. I think that, as the amendment involves three or four points, it had better be printed and go over until Monday, when we will understand it more thoroughly. It ought to be printed and go over.

Mr. STEWART. I have no objection to that course. I want everybody to understand it.

Mr. BATE. I observe that Senators who participated in the debate here in regard to the right of the Secretary of War to grant those permits are not here, and perhaps they would like to be here when the matter is further considered.

Mr. STEWART. I should like to have the Senator from Washington [Mr. TURNER] here. I do not care about pressing my amendment in his absence.

Mr. BATE. I ask that the amendment be printed.

Mr. BERRY. Mr. President, I wish to offer an amendment to the amendment of the Senator from Nevada, which I would like to have printed with that amendment. I do not know just where it will come in, but it follows the provision in regard to the roadway reservations.

Mr. STEWART. Let it come in at the end of my amendment.

Mr. BERRY. Very well; I think it will come in at the end of the amendment.

The PRESIDENT pro tempore. The Senator from Arkansas offers an amendment to the amendment, which will be read, and then be printed and lie over.

Mr. BERRY. Yes; I ask that it be read.

The Secretary read as follows:

It being the intention hereof that locations upon or claims to land within said reservation shall have originated only after the passage and taking effect of this act.

The PRESIDENT pro tempore. Does the Chair understand that the amendment accepted by the Senator from Montana is still before the Senate?

Mr. CARTER. As I understand the parliamentary situation, Mr. President, the Senate, by unanimous consent, reconsidered the vote whereby the amendment was adopted.

The PRESIDENT pro tempore. Yes; and that leaves it before the Senate.

Mr. CARTER. That leaves the substitute before the Senate, which is the amendment presented by the Senator from Nevada [Mr. STEWART].

The PRESIDENT pro tempore. Then the amendment of the Senator from Arkansas [Mr. BERRY] would not be in order at this time, but it can be printed and lie on the table.

Mr. BERRY. Is the amendment of the Senator from Nevada an amendment to an amendment?

The PRESIDENT pro tempore. It is.

Mr. BERRY. Then I ask that my amendment be printed with that, and I will offer it hereafter.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Arkansas [Mr. BERRY] will be printed and lie on the table. The Senator from Tennessee [Mr. BATE] has asked that both amendments may go over until Monday. Is there objection? The Chair hears none, and it will be so ordered.

Mr. CARTER. Mr. President, since a number of Senators have entered the Chamber recently, I desire to renew the statement by me made at the opening of the discussion on the Alaska bill, that upon Monday morning I shall ask unanimous consent that a time be fixed for the final vote upon the bill and all amendments pending, at such time as may be agreed upon for the final vote. Meantime I move that the Senate proceed to the consideration of executive business, there being no further amendments of which I am advised.

Mr. GALLINGER. Will the Senator withhold that motion for a moment?

Mr. PETTUS. I hope the Senator from Montana will wait one moment before making that motion.

Mr. CARTER. I withdraw the motion at the request of the Senator from Alabama [Mr. PETTUS].

Mr. PETTUS. I desire information from the President of the Senate; and that is, whether the amendment to which the substitute is proposed has been adopted?

The PRESIDENT pro tempore. It has not been adopted.

Mr. PETTUS. There has been nothing stricken out of the bill yet?

The PRESIDENT pro tempore. There has not been. Both the amendments and the subsequent amendment offered by the Senator from Arkansas [Mr. BERRY] have been ordered to be printed, and under request of the Senator from Tennessee [Mr. BATE] have gone over until Monday.

Mr. PETTUS. The Chair does not understand my question. The Senator from Nevada [Mr. STEWART] made a motion to strike out and insert. Was that done?

The PRESIDENT pro tempore. It was not. That is pending.

Mr. PETTUS. There is nothing struck out from the bill this morning?

Mr. CARTER. Mr. President, the Senator from Nevada [Mr.

STEWART] asks unanimous consent to reconsider the amendment which was inserted at the bottom of page 23 of the bill. That unanimous consent was given; whereupon he offered an amendment to be inserted at the same place, in lieu of the amendment previously adopted. No part of the bill was stricken out in connection with the proceedings.

Mr. BATE. I will say that the amendment is intended to be a substitute for section 26 as amended on the motion of the Senator from Montana [Mr. CARTER].

Mr. CARTER. It is to be added to section 26.

The PRESIDENT pro tempore. At the request of the Senator from Tennessee, all the amendments will go over until Monday.

Mr. BATE. And be printed.

The PRESIDENT pro tempore. And be printed.

Mr. BACON. I should like to inquire of the Senator from Montana if this reconsideration relates to the amendment which is offered by the Senator himself and which was adopted by the Senate?

Mr. CARTER. That is correct.

Mr. BACON. And under the action of the Senate this morning that has been reconsidered.

Mr. CARTER. That has been reconsidered for the purpose of permitting the Senator from Nevada to present his amendment.

Mr. BACON. And if the amendment of the Senator from Nevada is not adopted, before the amendment previously adopted, which has been reconsidered this morning, can be of any avail it will have to be again adopted.

Mr. CARTER. It will have to be again adopted.

Mr. BACON. I desire to say that if I had known that, I think I would have objected, because that amendment was adopted after very full debate; and it does seem to me that there should have been some hesitation in receding from that amendment unless the mind of the Senate had been very carefully directed to it to show that it had committed an error when it did adopt the amendment.

Mr. BATE. I can not see but what the amendment offered by the Senator from Nevada is a substitute for section 26; because if it is an amendment, it may be placed there as an amendment without affecting section 26 at all.

Mr. STEWART. I could have waited until we got into the Senate and then have offered it as a substitute, but I wanted to have the bill perfected before it went into the Senate.

Mr. BATE. Then it is a substitute for section 26?

Mr. STEWART. A substitute for the amendment to section 26.

Mr. BACON. I should like to inquire of the Senator from Montana, in order that I may be informed on the subject, whether he himself has ceased to desire the amendment which was previously adopted by the Senate at his instance?

Mr. CARTER. My position with reference to the action of the Secretary of War has not changed. I think the Secretary of War acted in a perfectly regular manner, but the amendment was presented for the purpose of meeting the objections made upon the floor of the Senate and to facilitate the passage of this bill. A certain line of comment was made upon the action of the Secretary of War, which seemed to me unjust and unwarranted by the facts; and yet the same purpose the Secretary of War had in view could be served in another way, which seemed more satisfactory to the Senate. The amendment which I presented seemed to embody the concurrent judgment of the Senate, and it was adopted. Now the Senator from Nevada says that Senators who made the assault upon the Secretary of War have changed their minds and ask the privilege of having his proposition considered.

Mr. BACON. Mr. President, I still have not received from the Senator from Montana the information which I desire. I listened with very great interest to the debate between himself and the junior Senator from Colorado [Mr. WOLCOTT], each of whom presented an amendment; and the question was a choice between the two. I was convinced by the very satisfactory argument of the Senator from Montana that his amendment was right; and I voted for it. Now, I desire to know whether the Senator himself is still in favor of that amendment, and as a matter of courtesy has consented to its temporary withdrawal in order that the Senator from Nevada may offer his amendment, or whether he still adheres to the amendment which he offered, and which he induced me as one to support by my vote.

Mr. CARTER. Mr. President, the amendment of the Senator from Nevada does not essentially change the amendment presented by me. It limits its operation only to the point above mean low tide. The amendment as adopted by the Senate extends the rules and regulations of miners into the waters of the sea without any other limitation than the 3-mile limit, fixed by law for neutral waters.

Mr. SPOONER. Will the Senator allow me to ask him a question?

Mr. CARTER. Certainly.

Mr. SPOONER. As to those who desire to operate below mean low tide, under what jurisdiction would they operate?

Mr. CARTER. Under the amendment of the Senator from Nevada, those who desire to operate under mean low tide would operate under permits from the Secretary of War.

Mr. SPOONER. Under the power which has been challenged here?

Mr. CARTER. Under the power which has been challenged here.

Mr. SPOONER. If there is a doubt about the existence of that power, ought it not to be distinctly conferred by this bill?

Mr. CARTER. I think the amendment of the Senator from Nevada would confer that power if any question existed with reference to its application.

Mr. SPOONER. I understood the Senator from Montana to say just now that the amendment of the Senator from Nevada did not apply to mining operations or explorations below mean low tide.

Mr. CARTER. The very opposite of that was what I said. I suggested that the amendment of the Senator from Nevada did not make any change in the operations of the amendment presented by me and adopted by the Senate, except beyond the line of low tide into the sea. The rules and regulations of the miners under the provisions of his amendment would be identical in application with the rules and regulations of miners under the amendment previously adopted by the Senate, but those rules and regulations would stop at low tide, and beyond that, according to the amendment of the Senator from Nevada, the jurisdiction of the Secretary of War would apply.

Mr. SPOONER. If it applies under existing law?

Mr. CARTER. Yes, if it applies under existing law.

Mr. SPOONER. But that jurisdiction is challenged by Senators on the other side of the Chamber.

Mr. CARTER. The policy of allowing the Secretary of War to interfere in any manner is challenged.

Mr. BACON. The Senator from Wisconsin is very much mistaken. The Senators on this side of the Chamber did not challenge it, and, if I remember correctly, had nothing to say. The question was between the Senator from Montana [Mr. CARTER] and the junior Senator from Colorado [Mr. WOLCOTT], each of them offering a separate amendment antagonistic to the other—the Senator from Colorado contending that the matter should be under the control of the Secretary of War, and the Senator from Montana contending, on the contrary, that the miners' meetings should control; while the Senator from Alabama [Mr. PETTUS], a practical miner at one time in his life, gave his concurrence, or rather his consent, by his speech and vote to the substitute offered by the Senator from Montana. So I think the Senator from Wisconsin is in error in saying that the challenge came from this side of the Chamber.

Mr. SPOONER. I was not present during the debate. I made that statement upon what the Senator from Montana [Mr. CARTER] said.

Mr. CARTER. If the Senator from Wisconsin will permit an interruption at that point, the Senator from Georgia [Mr. BACON] is in error as regards the nature of the contention between the Senator from Colorado [Mr. WOLCOTT] and myself. Primarily the right of the Secretary of War to grant permits to excavate the sands on the shores of Bering Sea was challenged under a resolution of the Senator from Washington [Mr. TURNER]. The reply of the Secretary of War was alleged, upon the other side of the Chamber, to be without warrant of law or color of right; whereupon a division of opinion arose as to the method of dealing with the question.

The Senator from Colorado presented an amendment which provided that this disputed area, known as the tide lands to shoal water, should be passed to the jurisdiction of the Secretary of the Interior, and that he might prescribe rules and regulations under which miners could work there. The Senator from Montana, on the other hand, contended that the Secretary of the Interior, being so remote from the scene of activity, could not in the nature of things make reasonable rules and regulations, and that the miners on the ground should be permitted to make the rules and regulations governing their own action. The latter view was adopted by the Senate; and having been adopted by the Senate, the Senator from Nevada [Mr. STEWART], desiring to renew the controversy, asked unanimous consent to reopen the question, and unanimous consent was granted.

Mr. STEWART. I should like to make a few explanatory remarks, as I know something about this subject.

Mr. BACON. I desire to make a remark.

Mr. STEWART. A good many of the remarks of the Senator from Georgia would be obviated if he knew something about this question.

Mr. BACON. I desire to know this: I followed the distinguished lead of the Senator from Montana [Mr. CARTER] in that debate simply by my humble vote. I desire to know whether or not my leader upon that occasion has changed his position; in other words,

whether he is still in favor of the amendment for which I had the privilege and the honor of then voting?

Mr. CARTER. The Senator from Montana still adheres to the amendment adopted, but consents to the reopening of the question that the Senator from Nevada may be permitted to present his views, and for no other purpose.

Mr. BACON. In other words, I understand that I will still be following the lead of the distinguished Senator from Montana if I adhere to his amendment and refuse to support the additional amendment offered by the Senator from Nevada?

Mr. CARTER. Unquestionably; and I think the Senator will be right in so doing.

Mr. BACON. In other words, the Senator from Montana does not favor the amendment of the Senator from Nevada?

Mr. CARTER. The Senator from Montana does not.

Mr. STEWART. He will favor it. [Laughter.]

Mr. CARTER. The Senator may convince me before this debate is concluded.

Mr. STEWART. I will convince the Senator that it is the only sensible thing to be done.

I am opposed to allowing the Secretary of the Interior to make rules and regulations as to mining—that is, to legislate. In order that the history of the situation may be understood, I should like to state something of the condition of the mining law, and I do it especially for the benefit of those who know nothing about it.

I have opposed for over thirty years legislation by the Government Departments in regard to the miners. The rules and regulations of the miners were approved by the Supreme Court of the United States in the case of *Sparrow vs. Strong*. I want to call the attention of those people who think so flippantly of the rules and regulations which have been adopted by the miners to some history connected with those rules and regulations which have been adopted and enforced, and also to the impropriety of turning this matter over to the Secretary of the Interior or anybody else here in Washington who knows nothing about it.

Mr. BACON. Will the Senator from Nevada let me ask him a question?

Mr. STEWART. No; not now. I am teaching now, and I do not want the scholars to interfere. [Laughter.]

Mr. BACON. I simply want to know which amendment the Senator voted for the other day?

Mr. STEWART. I decline to be interrupted. I want to read from the case of *Sparrow vs. Strong*, in 3 Wallace. That was a case that went to the Supreme Court of the United States from the Territory of Nevada before it became a State. A motion was made by Messrs. O'Connor and Billings to dismiss the case because the parties in possession under the mining rules had no title; that they were trespassers under every law of the United States; and counsel even sneered at the idea that there should be title against the positive law of the United States. The court say:

And we can not shut our eyes to the public history, which informs us that under this legislation—

That is, the Territorial legislation—

and not only without interference by the National Government, but under its implied sanction, vast mining interests have grown up, employing many millions of capital and contributing largely to the prosperity and improvement of the whole country.

The court held they had title, notwithstanding the statute declared that they were trespassers, and in order to sustain what they had said the court ordered the reporter to put in my statement of the then condition, and I think it is pretty important that the Senate should understand it, and I hope they will give it attention. This is what appears in the appendix:

The remarks of Mr. Senator STEWART, of Nevada, referred to in a note on this page, were originally contained in a public letter, I think, to his fellow-Senator, Mr. Ramsey, of Minnesota. They have since been made in nearly the following form to the Senate of the United States:

"Upon the discovery of gold in California, in 1848, a large emigration of young men immediately rushed to that modern Ophir. These people, numbering in a few months hundreds of thousands, on arriving at their future home found no laws governing the possession and occupation of mines but the common law of right, which Americans alone are educated to administer. They were forced by the very necessity of the case to make laws for themselves. The reason and justice of the laws they formed challenge the admiration of all who investigate them. Each mining district, in an area extending over not less than 50,000 square miles, formed its own rules and adopted its own customs. The similarity of these rules and customs throughout the entire mining region was so great as to attain all the beneficial results of well-digested general laws. These regulations were thoroughly democratic in their character, guarding against every form of monopoly, and requiring continued work and occupation in good faith to constitute a valid possession.

"After the admission of California as a State, in September, 1850, Mr. Fremont, then Senator from that State, introduced a bill the purpose of which was to establish police regulations in the mines. It imposed a small tax upon the miners to defray the expenses of the system. Many Senators, when the bill came up for discussion, expressed the opinion that the mines ought to be sold or some means devised by which a direct revenue might be obtained from that source. Various amendments were offered to effect these purposes. But Mr. Benton took a leading part in the discussion and contended throughout that good policy required that the mines should remain free and open for exploration and development. Mr. Seward sustained Mr. Benton.

"The arguments of Senators in favor of free mining finally prevailed, and all amendments looking to sale or direct revenue were voted down; and the bill finally passed the Senate, without material amendment, in its original

form, but failed in the House from want of time to consider it. Before the meeting of the next Congress the fact became known that the miners themselves had adopted local rules for their own government which rendered action on the part of Congress unnecessary; and from that time to the present nonaction has been the policy of the Government, with one single exception. The solemn declaration, however, just mentioned, on the part of the Senate in favor of a just and liberal policy to the miners was hailed by them as a practical recognition of their possessory rights and greatly encouraged and stimulated mining enterprise and laid the foundation for a system of local government now in full force over a vast region of country inhabited by near a million men.

"The legislature of California, at their following session, in 1851, had under consideration the subject of legislating for the mines, and, after full and careful investigation, wisely concluded to declare that the rules and regulations of the miners themselves might be offered in evidence in all controversies respecting mining claims, and when not in conflict with the constitution or laws of the State, or of the United States, should govern the decision of the action. A series of wise judicial decisions molded these regulations and customs into a comprehensive system of common law, embracing not only mining law (properly speaking), but also regulating the use of water for mining purposes. The same system has spread over all the interior States and Territories where mines have been found, as far east as the Missouri River. The miner's law is a part of the miner's nature; he made it, and he loves it, trusts it, and obeys it. He has given the toil of his life to discover wealth, which, when found, is protected by no higher law than that enacted by himself, under the implied sanction of a just and generous Government. Miners, as a community, devote three-fourths of their aggregate labor to exploration, and consequently are, and ever will remain, poor, while individuals amass large fortunes, and the treasury of the world is augmented and replenished.

"Persons who have not given this subject special attention can hardly realize the wonderful results of this system of free mining. The incentive to the pioneer held out by the reward of a gold or silver mine, if he can find one, is magical upon the sanguine temperament of the prospector. For near a quarter of a century a race of men, constituting a majority by far of all the miners of the West, patient of toil, hopeful of success, deprived of the associations of home and family, have devoted themselves, with untiring energy, to sinking deep shafts, running tunnels thousands of feet in solid granite, traversing deserts, climbing mountains, and enduring every conceivable hardship and privation, exploring for mines, all founded upon the idea that no change would be made in this system that would deprive them of their hard-earned treasure. Some of these have found valuable mines and a sure prospect of wealth and comfort when the appliances of capital and machinery shall be brought to their aid. Others have received no compensation but anticipation—no reward but hope.

"While these people have done little for themselves, they have done valuable service for this Government. They have enhanced the value of the property of the nation near 100 per cent; have converted that vast unknown region extending from British Columbia on the north to Mexico on the south, and from the eastern slope of the Rocky Mountains to the western decline of the Sierra Nevada, into the great gold and silver fields of the United States, surpassing in richness and extent the mines of any other nation on the globe. I assert, and no one familiar with the subject will question the fact, that the sand plains, alkaline deserts, and dreary mountains of rocks, and sage brush of the great interior, would have been as worthless to-day as when they were marked by geographers as the great American desert, but for this system of free mining fostered by our neglect, and matured and perfected by our generous inaction. No miner has ever doubted the continued good faith of the Government, but has put his trust in its justice and liberality, traversing mountain and desert as incessantly and as hopefully as the farmer of the West has plowed his field. What he now occupies he has discovered and added to the wealth of the nation.

"This good faith of the Government (promised, as it were, by the action of the Senate sixteen years ago) not only inspired enterprise and led to discoveries the magnitude and importance of which can not be overestimated, but in the time of the severest trials of the Union no people were more loyal than the miners. They lost no opportunity to enlist in your armies or contribute to the support of the Government. Their liberal donation to the sanitary fund was but a slight manifestation of their deep love of the Union and sympathy for its suffering heroes. The little town in which I reside contributed in gold coin over \$112,000, being at the time about \$30 to each voting inhabitant, and a like liberality was displayed by the whole coast. The people are truly grateful to a generous Government, and time seems to have strengthened the regard they feel for their native land and their early homes; but they look with jealous eyes upon every proposition for the sale of the mines which they have discovered and made valuable. Any public man who advocates it, with whatever motive, is liable to be condemned and discarded as an unfaithful servant. The reason for this is obvious. It is their all, secured through long years of incessant toil and privation, and they associate any sale with a sale at auction, where capital is to compete with poverty, fraud and intrigue with truth and honesty."

It is not because they do not desire a fee-simple title, for this they would prize above all else; but most of them are poor and unable to purchase in competition with capitalists and speculators, which the adoption of any plan heretofore proposed would compel them to do, and for these reasons the opposition to the sale of the mineral lands has been unanimous in the mining States and Territories.

"To extend the preemption system applicable to agricultural lands to the mines is absurd and impossible. Nature does not deposit the precious metals in rectangular forms, descending between perpendicular lines into the earth, but in veins or lodes varying from 1 foot to 800 feet in width, dipping from a perpendicular from 1° to 80°, and coursing through mountains and ravines at nearly every point of the compass. In exploring for vein mines it is a vein or lode that is discovered, not a quarter section of land marked by surveyed boundaries.

In working a vein more or less land is required, depending upon its size, course, dip, and a great variety of other circumstances, not possible to provide for in passing general laws. Sometimes these veins are found in groups, within a few feet of each other, and dipping into the earth at an angle of from thirty to fifty degrees, as at Freiberg, in Saxony, or Austin, in Nevada. In such case a person buying a single acre in a rectangular form would have several mines at the surface and none at five hundred or a thousand feet in depth. With such a division of a mine, one owning it at the surface, another at a greater depth, neither would be justified in expending money in costly machinery, deep shafts, and long tunnels for the working of the same. Nor will it do to sell the land in advance of discovery, for this would stop explorations, and practically limit our mining wealth to the mines already found, for no one would "prospect" with much energy upon the land of another, and land speculators never find mines. The mineral lands must remain open and free to exploration and development; and while this policy is pursued our mineral resources are inexhaustible. There is room enough for every prospector who wishes to try his luck in hunting for new mines for a thousand years of exploration; and yet there will be plenty of mines undiscovered. It would be a national calamity to adopt any system that would close that region to the prospector.

The question then presents itself, How shall the Government give title, so important for permanent prosperity, and avoid these intolerable evils? I answer, there is but one mode, and that is to assure the title to those who now or hereafter may occupy according to local rules, suited to the character of the mines and the circumstances of each mining district. In the increasing agitation of the subject by the introduction into Congress of bills which miners regard as a system of confiscation, and which tend to destroy all confidence in mining titles, we now need statutes which shall continue the system of free mining and hold the mineral lands open to exploration and occupation, subject to legislation by Congress and local rules; something which recognizes the obligation of the Government to respect private rights which have grown up under its tacit consent and approval, and which shall be in harmony with the legislation of 1863, protecting possessory rights, irrespective of any paramount interest of the United States. The system will be in harmony with the rules of property as understood by a million men, with the legislation of nine States and Territories, with a course of judicial decisions extending over near a quarter of a century, and finally ratified and confirmed by the Supreme Court of the United States; in harmony, in short, with justice and good policy.

A system such as the eloquent Senator conceived to be accordant with these ideas was introduced by him to the Senate in June, 1866. (See the Daily Globe, of June 19, 1866.)

Mr. RAWLINS. Will the Senator yield to me for a question?

Mr. STEWART. I will yield for a mere question; but I have got a few more remarks to make.

Mr. RAWLINS. I understood the Senator's proposed amendment to give effect to the miners' rules as to all mining lands above low tide, but it proposes to transfer to the Secretary of War the authority to grant licenses for mining below.

Mr. STEWART. It leaves that just as it is.

Mr. RAWLINS. Does not the Senator—

Mr. STEWART. I do not want to be diverted by answering questions. I will come to that in a moment. I want to do a little schoolmaster work just now.

Mr. RAWLINS. That was the point on which I desired enlightenment from the Senator.

Mr. STEWART. I know, but I do not want to be interrupted now.

The following year, after a very extended controversy in which I labored harder than I ever did in my life, for I had been familiar with how the system had grown up; I had been a part of it; for I was in the first miners' meeting which established laws in California for the government of vein mining. As new mines were opened such laws were adopted and spread all over the country. In 1866 there was a proposition by Mr. Julian, chairman of the Committee on Public Lands of the House of Representatives, to sell mines at auction. We had to take some action or be ruined.

I had one bill passed through the Senate which went to the House, and went to the foot of the Calendar. A California member had a bill pending regarding ditch rights. I managed to get my bill passed as an amendment to that; and it went on the House bill as a Senate amendment; which brought it nearer the top of the Calendar and gave it some advantage in the struggle for supremacy. Finally, by the means of a two-thirds vote, it was carried over Mr. Julian's head, and became a law. The title of the bill under those circumstances was a little queer. It was entitled "An act granting a right of way to ditch and canal owners over the public lands, and for other purposes." I call attention to the first section of the act, which was passed on the 26th of July, 1866. That section reads:

That the mineral lands of the public domain, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and occupation by all citizens of the United States, and those who have declared their intention to become citizens, subject to such regulations as may be prescribed by law, and subject also to the local customs or rules of miners in the several mining districts, so far as the same may not be in conflict with the laws of the United States.

Subsequently I introduced a bill and had extra copies of it printed, sent them out to the miners in all the mining districts, and continued to do so for six years, and finally in 1872 the law which has remained ever since was passed. It was really made for the miners. It was criticised in every mining district. To every mine owner and mining engineer were sent copies, and it was digested according to the suggestions, and it resulted in a law which was passed in 1872, and which has not been changed since. Some little things grew up by the decisions of the Department that we thought ought to be changed. I introduced a bill several times to try to change those. The Senator from Colorado was on the committee. We fixed it up and sent it out, but it did not meet with general approval, because we could not get the consent of the miners to have the law of 1872 changed. That is the reason why I do not want to authorize any Department of this Government to change it. It has worked well. Local disputes have been settled there, and the mining laws of the United States are the best in the world.

They were the result of the experience of the miners, not mine alone. I merely sent it out with suggestions from time to time. The first law was mostly mine; but after that, when it came to define claims, etc., a very difficult matter, we wanted the experience of mining engineers and miners. Then this law was passed.

The first section of the law of 1872, which is in the Revised Statutes, is as follows:

All valuable mineral deposits in lands belonging to the United States, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and purchase, and the lands in which they are found to occupation and purchase, by citizens of the United States and those who have declared their intention to become such, under regulations prescribed by law, and according to the local customs or rules of miners in the several mining districts, so far as the same are applicable and not inconsistent with the laws of the United States.

Then this statute further provides:

The miners of each mining district may make regulations not in conflict with the laws of the United States, or with the laws of the State or Territory in which the district is situated, governing the location, manner of recording, amount of work necessary to hold possession of a mining claim, subject to the following requirements: The location must be distinctly marked on the ground so that its boundaries can be readily traced. All records of mining claims hereafter made shall contain the name or names of the locators, the date of the location, and such a description of the claim or claims located by reference to some natural object or permanent monument as will identify the claim. On each claim located after the 10th day of May, 1872, and until a patent has been issued therefor, not less than \$100 worth of labor shall be performed or improvements made during each year. On all claims located prior to the 10th day of May, 1872, \$10 worth of labor shall be performed or improvements made by the 10th day of June, 1874, and each year thereafter, for each 100 feet in length along the vein until a patent has been issued therefor; but where such claims are held in common such expenditure may be made upon any one claim.

It goes on and makes those regulations. That is the limit to which the miners have the power to legislate. They can legislate subject to those rules and regulations. That is all they can do up in that Territory. When we get the rules and regulations as specific as they are, as careful as they are, with limitations to cover every case of abuse, leaving them to legislate within those bounds, you do not want any rules and regulations of the Departments making new laws. The miners will fix it better than anybody else. That is the experience of more than a generation. They have done it, and all our rights have grown up under it.

I objected to the amendment of the junior Senator from Colorado [Mr. WOLCOTT] principally because it delegated the power to legislate to the Secretary of the Interior. The Secretary of the Interior knows nothing about these laws. Half of the Senate know nothing about them. Those who live there—the miners—know about them. The courts know about them; the courts enforce them, and you have had peace and development and a fair administration of justice.

So far as concerns this amendment as it now stands, there is general power given to the Secretary of War to protect navigable waters, and anyone who interferes with them he has the right to arrest and punish, etc. It is made criminal to interfere with the navigable waters, and persons are not likely to fit out expeditions and go out there because they might meet with arbitrary interference by the War Department. They might fear to do it. They would not want to invest upon an uncertainty. Consequently the Secretary has granted permits below low tide, and there the miners' laws could not operate. You could not locate a claim. You could not put up stakes. You could not put up monuments. You could not comply with any of the conditions necessary to locate a mining claim, because you must put up monuments and make reference to some known object. You could not do that in deep sea. You can not locate a mining claim at deep sea provided Congress authorized it.

These regulations can not be applied to that. They are not provided for the ocean, but for the land. You must have land in order to make the mining laws apply. You can make them applicable above low tide, because you can get there when the water is low and put monuments there that would probably stay and refer to something on land, and so locate under the mining laws; but below low tide you can not do it. A person who is going to invest must have some guaranty that the Government will not interfere. It will take hundreds of thousands of dollars perhaps to fit out machinery to work the ocean. It is a new thing. The miners do not want this, and there is no reason why we should attempt to extend the rules and regulations into the ocean.

The difficulty about the amendment of the Senator from Montana as it stands now is that it says the miners' laws shall be extended into the ocean. You can not operate there. My amendment limits the extent of the mining laws to low tide, where the miners' laws are applicable, and expressly limits the permits of the Secretary of War to the land below low tide. It makes a distinction. I hope it will be examined. It has been ordered to be printed and laid over. I hope it will be examined by Senators, because this is a very important matter. It would be very dangerous if, without consideration, we should introduce a novelty into the mining laws, which have gone on for more than a generation and which Congress has been unable to change because public sentiment is so strong in their favor, which have settled the rights of property so long and upon which so much depends. It ought not to be done. Before it is done we ought to see what they are, how they have grown up, what is dependent upon them. The miners in the country understand them. The

miners who go to Alaska will take with them these laws as the immigrants who went to California took with them the common sense of American citizens to make such laws to protect themselves.

If we have no mining law for Alaska except that which the miners make, you will see it is all right. When it is said they will do all sorts of rash and foolish things it is a mistake. There may be men who may want to do it, but the general public sentiment where all are interested in having good laws and in enforcing them is so strong that no wrongdoer can withstand it. I have seen a community of 200,000, in a climate which was congenial, where every man could go into the ravines and dig and get money, where the majority of the inhabitants were not 30 years old, the ages ranging from 18 to 25, and they made rules and regulations that fitted the situation. They enforced those rules until the courts came in. Absolute justice almost was done. The weak were protected. You will find it so up there. I tell you the miners are a pretty good set of men.

The idea of being afraid that anybody will monopolize that country! It can not be done under the rules and regulations that can be made subject to the mining laws. Let foreigners or anybody else go into that region; the more the better. We want gold. It is a hardy race that does it. They will be punished for doing it. Most of them will lose their lives. Very few will make a success, but the prospect held out, the occasional find, is such that it will lead them on. Let them be Laplanders, or let them be Swedes, or let them be Norwegians or Americans, or let them be who they will, if they will go into the Arctic regions and discover mines and help to relieve mankind of the contraction of the gold standard, let them go. I want free mining. I am glad the Canadian government made no distinction between citizens and aliens, except in one instance, and I hope they will take that back. As to placer mining in British Columbia, not on the Yukon, in 1899, aliens were prohibited from locating. I am sorry she did it. We want to appeal to her to change that.

There is Russia. For the last forty years I have heard constantly from men who have been there. Siberia was a penal colony, and men could not mine there. They have gone there with permission. They would get permission from the authorities to travel through the country. They saw the situation. There is a very vast mining region in Russia. The world has got to have gold. They are hardy men who are willing to make great sacrifices to dig for gold. It is not a profitable business.

I prefer to let our people work in the Tropics and produce sugar and other articles with which to buy gold. We are paying out two hundred and fifty millions for tropical products. I want the islands kept, and I want to see sugar and coffee and all the other tropical commodities we require produced there, so as to keep our money at home. If we can do that, let the hardy Norwegians and Laplanders mine in the frozen zones about the Bering Sea. What they get will be turned into the channels of commerce, and we can buy it a great deal more cheaply than we can earn it.

There are only a very small class of people who are willing to make those sacrifices, and those who do I would not trammel. I would encourage them, because they are doing great good to mankind. Let them be encouraged. Ninety-nine out of a hundred of them die in poverty and must necessarily in this contest. In seeking for gold the prize is very great, and there is a class of hardy men who will do it, and they should not be checked or trammelled or dealt unfairly with.

As to California, there were wise men in the Senate. Seward and Benton and Chase and others were here then, who were wise in this regard. It was a common sense to let the miners alone, and letting them alone accomplished great results. They built up States out of that wilderness. They had good laws. They were allowed to develop that country. They made it what it is. Let those laws be taken by our people to Alaska. Do not trammel them. Do not make regulations here that they do not understand and confiscate their property. When they have found property, protect it, deal honestly and fairly with them, and they will be the greatest benefactors of any we will have, not to themselves, but to us.

I have heard people engaged here in manufacturing and raising products laugh when it was said they made more money here, and all that, and that mining was bad, after all. But you must have gold. You passed a decree that money should only be stamped on gold. Now let the Norwegians and the Danes and the Laplanders dig gold. Do not stop that. Do not throw any obstructions in their way, and you will have plenty of gold. The gold standard may be all right if we have plenty of gold. It is only a question of quantity. Let Russia, let the country all around Bering Sea and Hudson Bay, let this Arctic region, closed against mankind for centuries, be opened. Let them get gold and supply you. You must have that article. Now let them dig it. The idea that you should pass laws that will cause other countries to retaliate! If you commence proscribing foreigners, other coun-

tries will do the same, and this vast region will be shut up for all time.

The most liberal policy should be adopted toward foreigners about the Arctic Ocean, because very few of our people will go there. Some of them have the mining instinct, but none but that class will go and none but that class will stay. I believe in letting that class have their own way, and they will see that they have fair play as between each other. They have the strongest sense of fair play and justice. In this document which has been read the military commander says they are the most peaceable and law-abiding people he ever saw. Of course they are, because every man there is interested in seeing that the laws are executed. He is a law giver and an executor of the law, and all depends upon good laws faithfully executed. That is the situation up there.

When this matter comes up again, if further explanation is desired I will be glad to make it.

Mr. GALLINGER. I wish to have an order made before proceeding to the execution of the unanimous-consent agreement. I understand the Senator from Montana is willing that the Alaska bill shall go over for the day.

Mr. CARTER. I have no objection to the bill going over.

The PRESIDENT pro tempore. The amendment has gone over.

Mr. CARTER. I suggest, however, that the amendment for which the amendment of the Senator from Nevada is proposed as a substitute be printed separately, to the end that Senators may understand it.

Mr. TELLER. Let all amendments be printed.

The PRESIDENT pro tempore. The amendment of the Senator from Montana has been printed.

Mr. CARTER. It has merely been printed in the RECORD.

The PRESIDENT pro tempore. All three amendments will be printed.

Mr. CARTER. Let it be printed as perfected.

Mr. TELLER. Let all amendments which have been offered be printed.

BALTIMORE AND POTOMAC RAILROAD.

Mr. GALLINGER. I move that 500 additional copies of the bill (S. 1929) to provide for eliminating certain grade crossings on the line of the Baltimore and Potomac Railroad Company, in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes, together with the report thereon, be printed. The supply in the document room is exhausted.

The motion was agreed to.

EMILY BURKE.

The PRESIDENT pro tempore. Under the unanimous-consent agreement heretofore made, the first pension case on the Calendar will be stated.

The bill (H. R. 4089) granting a pension to Emily Burke was announced as the first bill in order; and the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of Emily Burke, widow of John Burke, late first lieutenant Company F, Seventy-third Regiment Ohio Volunteer Infantry, and to pay her a pension of \$12 per month and \$3 per month additional for each of her minor children until such children shall arrive at the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN S. DUKATE.

The bill (H. R. 3214) granting a pension to John S. Dukate was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Dukate, late assistant surgeon, Fifty-third Regiment Indiana Volunteer Infantry, and to pay him a pension of \$17 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN B. WETHERBEE.

The bill (S. 3139) granting a pension to J. B. Wetherbee was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John B. Wetherbee, late cook with Company G, First Regiment Washington Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$40 per month.

The amendment was agreed to.

Mr. GALLINGER. In connection with this bill I desire to have the report printed in the RECORD. This is a man who was not enlisted, but he was very dangerously wounded, so much so that he is entirely paralyzed in his lower limbs, and according to the rule of our committee he becomes pensionable by special act. I

should like to have the report printed in the RECORD to show why it is proposed to pension him.

The PRESIDENT pro tempore. The report will be printed in the RECORD.

The report referred to is as follows:

The Committee on Pensions, to whom was referred the bill (S. 3139) granting a pension to J. B. Wetherbee, have examined the same and report:

The claimant, John B. Wetherbee, was a cook in the employ of Company G, First Regiment Washington Volunteers, and while so serving with the company in the Philippine Islands was severely injured by a gunshot wound of the back and spine at Paco Church, near Manila, while serving in the ranks and assisting in the construction of a telegraph line.

The following is an official report from the War Department regarding the occurrence:

RECORD AND PENSION OFFICE, WAR DEPARTMENT,
Washington City, February 16, 1900.

SIR: Referring to your letter of the 10th instant, addressed to the Surgeon-General of the Army and by him transmitted to this office, where it was received yesterday, in which letter you request a copy of the report of the medical treatment of J. B. Wetherbee, who was engaged as cook for Company G, First Regiment Washington Volunteers, and was wounded at Paco Church, Manila, February 5, 1899, a report of whose medical treatment, made at the Presidio, Cal., it is stated, has been placed on file in this Department, I beg to state that an examination has been made of all records on file deemed likely to afford information in the case, but the special report referred to has not been found on file.

It appears from the records, however, that J. B. Weatherby, whose name also appears upon the records as Wetherbee, civilian cook, Company G, First Washington Infantry Volunteers, was wounded severely by a gunshot wound of the back and spine at Paco, Manila, Philippine Islands, February 5, 1899, and it is stated that he fought in the ranks with Company G, although he was not an enlisted man.

The records also show that he was treated in various hospitals, including the general hospital at Presidio, San Francisco, from February 5, 1899, to November 1, 1899, for gunshot wound, "Mausers," severe, center spinal column, which produced partial paralysis of the lower limbs. It is stated on the records that there was no evidence of the exit of the bullet, and that it was not found by the X ray.

Very respectfully,

JOHN TWEEDALE,

Acting Chief Record and Pension Office.

Hon. W. L. JONES,
House of Representatives.

A petition signed by large numbers of the officers and men of the First Washington Volunteer Infantry accompanies the bill and sets forth that at the time claimant received his wound he was standing on the stone bridge assisting members of the Signal Corps to raise a telegraph wire. Previous to this he, with Company D, First Washington Volunteers, was engaged in firing into the church from which our men were receiving a fire from the enemy. Claimant was requested by the officer in charge of the detail engaged in raising the wire to assist them, he being told that it was desired to establish communication between certain points as soon as possible. While thus engaged claimant was wounded by a bullet fired by an insurgent, presumably from a house near by.

The following are sworn statements by claimant and medical officers, showing the circumstances, and also setting forth the nature and extent of the wound:

I, J. B. Weatherbee, make the following statement:

I joined the regiment the 1st day of November, 1898, at Honolulu, Hawaiian Islands, acting in the capacity of cook of Company G, First Washington Volunteer Infantry. I went to Manila with the regiment, acting in that capacity up to February 5, 1899. On January 8, 1899, I was issued arms and ammunition by the company commander, Capt. M. Ellrich, of Company G, First Washington Volunteers, as the condition at that time was such that every able-bodied man was needed to defend the position. From that time until February 5, 1899, I was called on for outpost duty the same as any enlisted man in the regiment. On February 5, at the battle of Paco Church, I was ordered by an officer of the United States Signal Corps to assist in establishing telegraphic communications with the lines, and while in the act of raising a telegraph wire I was struck by a bullet in the back, fired by one of the insurgents, and fell helpless.

I was carried from the field by Albert Anderson and Lieutenant Bryan, of the First Washington, and lay in the First Reserve Hospital at Manila until March 28, 1899, then in the Second Reserve Hospital until June 2, 1899. During those months I lay completely paralyzed and perfectly helpless as regards the use of my lower limbs and suffered intense pain. From June 2 to August 21 I was aboard the hospital ship *Relief*, reaching San Francisco August 2, 1899, and being sent to the hospital at Presidio. The sea voyage and change of climate improved my physical condition so that I could be lifted from my bed, and by the assistance of persons or crutches move a little. Reference to the hospital reports of Manila and the Presidio will show the exact condition more completely than I could state it here. There is among those reports a photograph of the wound, as shown by the X-rays. Surgeons have always refused to operate, considering that the location of the ball so near the heart and spine renders an operation dangerous and probably fatal, and all surgeons have refused to undertake the risk of performing it.

Carried in the arms of my comrades, I was taken aboard the ship *Queen* at San Francisco on November 4, 1899, and brought to Seattle; was carried in their arms from steamer to carriage and from carriage to hospital, and the Red Cross and Fortson Relief Corps (a similar organization) have undertaken the entire charge of my expenses up to this time. On November 25, 1899, I was removed from the hospital to a private residence, but am obliged to have the care of a nurse. My physical condition is improved; my helplessness is not so great as during the first eight months after I was wounded, but I am entirely unable to perform any labor of any kind or do the least thing toward my own support, and am obliged to have assistance even in caring for me personally.

I have no real estate or personal property that will aid me in my support, and while I have living relatives, they are not financially able to assist me in the least degree. My sole income since November, 1898, has been one month's pay as cook of Company G, First Washington Volunteer Infantry, after reaching Manila, and \$100, contributed largely by the enlisted men of Company G. The Red Cross and Fortson Relief Corps have, as I stated before, assumed all responsibility for my care and attention since I reached Seattle, November 6. I am a single man and have no one except myself dependent upon me. I have no assurance from any physician who has ever examined my case, in the United States service or out of it, that I will be able to support myself again. While it is evident that my physical condition is improving, it does not place me in a condition to do anything for my own support at the present time.

The surgeons in charge of my case from the time I was wounded until I left the hospital at the Presidio were Major Crosby, U. S. A., in charge of the First Reserve Hospital at Manila, and Major Fitzgerald, of the Thirteenth

Minnesota Volunteers; at the Second Reserve Hospital at Manila was Capt. Frank B. Klefer, surgeon, U. S. A.; on the hospital ship *Relief* was Major Bradley; at the Presidio hospital were Colonel Gerard and former regimental doctor Maj. L. R. Dawson, whose reports in the War Department will give a more detailed account of my case than I can give or secure from them, scattered, as they are, out of the reach of my knowledge of their whereabouts. Maj. L. R. Dawson examined me at Manila at the First Reserve Hospital, and on about the 1st day of February, 1900, examined me at Seattle, Wash. His affidavit and that of Dr. A. B. Kibbe accompany this paper.

Praying that the Government for which I fought will recognize my great need and reward my services by relieving me from dependence upon the charity of others, I am,

J. B. WETHERBEE.

Subscribed and sworn to before me this 8th day of March, 1900.

[SEAL.]

H. J. RAMSEY,
Notary Public in and for the State of Washington, residing at Seattle.

SEATTLE, WASH., February 21, 1900.

John B. Wetherbee, civilian cook of G Company, First Washington Infantry, United States Volunteers, was wounded in the back during general engagement of February 5, 1899, near Paco Church, Manila, Philippine Islands. I saw him two days later in Ward 2 of the First Reserve Hospital, Manila, Philippine Islands, at which time he was completely paralyzed from the hips down, with no control of bowels or bladder.

He was in the First Reserve Hospital a long time, and was sent thence to the general hospital at the Presidio of San Francisco, Cal. He came to Seattle with a part of the First Washington Infantry, United States Volunteers, on the steamship *Queen of the Pacific*, and was sent to the Seattle general hospital for a time by the Seattle Red Cross Society.

About the 1st day of February I examined him, with Dr. A. B. Kibbe, by the Roentgen ray in the office of Dr. Kibbe. The fluoroscope showed a projection or protrusion on the left side of the spine at level of fourth or fifth dorsal vertebra, which Dr. Kibbe and myself both regarded as the missile which inflicted the wound, surrounded by an inflammatory thickening or exudate. The scar of the wound of entrance was about 2 inches to the right of the spinous processes, and about 1½ inches lower than the site of the missile, which corroborated his statement that his arms were raised above his head at the moment he received the wound.

At this time he was able to stand alone, supported by his crutches, and, with their support, to walk alone a short distance. The kneejerk was exaggerated decidedly in both legs. The left knee was still rather stiff, and the muscles of both legs considerably atrophied.

LEWIS R. DAWSON, M.D.,

Late Major-Surgeon First Washington Infantry, U. S. V.

The foregoing subscribed and sworn to before me by said Lewis R. Dawson this 21st day of February, 1900.

[SEAL.]

H. J. RAMSEY,
Notary Public in and for the State of Washington, residing at Seattle.

SEATTLE, March 1, 1900.

With reference to the case of John B. Weatherbee, described in full by Dr. L. R. Dawson, I can say that I also examined Mr. Weatherbee with the fluoroscope and found the same conditions described by Dr. Dawson, and that I fully concur with his diagnosis and opinions in the case.

ALFRED B. KIBBE, M. D.

The foregoing subscribed and sworn to before me by said Alfred B. Kibbe this 1st day of March, 1900.

H. J. RAMSEY,

Notary Public in and for the State of Washington, residing at Seattle.

Other evidence accompanying the bill shows that claimant is practically a helpless cripple from his wound, and that he has no means whatever, but is dependent upon the Red Cross Society and other charitable organizations at Seattle, Wash., where he now resides.

Not being an enlisted man, claimant can obtain no relief under existing pension laws, but, in view of the foregoing facts, your committee are of the opinion that it would be but an act of justice to grant him a pension for his wound.

The passage of the bill is therefore recommended when amended as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John B. Wetherbee, late cook with Company G, First Regiment Washington Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$40 per month."

Also amend title so as to read: "A bill granting a pension to John B. Wetherbee."

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to John B. Wetherbee."

ROSALIA TEJIDOR BRINCKERHOFF.

The bill (S. 3470) granting a pension to Rosalia Tejidor Brinckerhoff was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rosalia Tejidor Brinckerhoff, widow of George L. Brinckerhoff, late captain Company B, Tenth Regiment New York Volunteer Cavalry, and to pay her a pension of \$30 per month.

Mr. GALLINGER. In line 9, before the word "dollars," I move to strike out "thirty" and insert "twenty;" so as to read "twenty dollars."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN M. SWIFT.

The bill (S. 2570) granting an increase of pension to John M. Swift was considered as in Committee of the Whole. It proposes

to place on the pension roll the name of John M. Swift, late of Company A, First Regiment Maine Veteran Volunteer Infantry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARY I. BRADBURY.

The bill (S. 3314) granting a pension to Mary I. Bradbury, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with amendments, in line 7, before the word "of," to strike out "sergeant," and in line 9, before the word "dollars," to strike out "twenty-five" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary I. Bradbury, widow of Eben H. C. Bradbury, late of Company K, Ninth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARIE SHARPE.

The bill (S. 1347) granting an increase of pension to Marie Sharpe was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marie Sharpe, widow of John B. Sharpe, late of Company C, First Regiment Wisconsin Volunteer Heavy Artillery, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN HOLLAND.

The bill (S. 3480) granting a pension to John Holland was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Holland, late of Company C, Twenty-eighth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$20 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH F. ALLISON.

The bill (H. R. 5134) granting an increase of pension to Joseph F. Allison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph F. Allison, late of Company H, Fifteenth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SIMON VAN DER VAART.

The bill (H. R. 4654) granting an increase of pension to Simon Van Der Vaart was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Simon Van Der Vaart, late surgeon Twenty-sixth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$25 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY MCCARTHY.

The bill (H. R. 856) granting a pension to Mary McCarthy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary McCarthy, mother of John E. McCarthy, late of the Sixth Company, First Battalion New York Volunteer Sharpshooters, and to pay her a pension of \$12 per month.

Mr. GALLINGER. Let the word "dependent" be inserted before the word "mother," in line 6; so as to read "dependent mother."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CHARLES A. HAUSMAN.

The bill (H. R. 5931) granting an increase of pension to Charles A. Hausman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles A. Hausman, late second lieutenant, Thirtieth Independent Battery, New York Volunteer Light Artillery, and to pay him a pension of \$15 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS H. KEARNEY.

The bill (S. 1031) granting an increase of pension to Thomas H. Kearney was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out the letter "a;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas H. Kearney, late surgeon Forty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$25 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHRISTINA NOLL.

The bill (S. 2795) granting an increase of pension to Christina Noll was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Christina Noll, widow of Adam Noll, late of Company K, Eighty-third Regiment Ohio Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FRANKLIN M. BURDOIN.

The bill (H. R. 7799) granting an increase of pension to Franklin M. Burdoin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Franklin M. Burdoin, late a private in Company I, One hundred and third Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEWIS R. ARMSTRONG.

The bill (H. R. 6356) granting an increase of pension to Lewis R. Armstrong was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lewis R. Armstrong, late of Company E, One hundred and fifty-seventh Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BUREN R. SHERMAN.

The bill (S. 3337) granting an increase of pension to Buren R. Sherman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Buren R. Sherman, late of Company E, Thirteenth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE E. SCOTT.

The bill (S. 2101) granting an increase of pension to George E. Scott was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George E. Scott, late of Company D, Thirty-sixth Regiment Iowa Volunteer Infantry, and pay to his wife, Mary B. Scott, for the use and benefit of himself and family, a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH CHAMPLIN STONE.

The bill (H. R. 8605) granting a pension to Joseph Champlin Stone was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph Champlin Stone,

late captain and assistant adjutant-general of volunteers, and to pay him a pension of \$50 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALANSON C. EBERHART.

The bill (H. R. 3963) granting an increase of pension to Alanson C. Eberhart was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alanson C. Eberhart, late of Company D, Tenth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EZRA A. BENNETT.

The bill (H. R. 4367) granting an increase of pension to Ezra A. Bennett was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 3, before the word "is," to insert "he;" and in line 6, after the word "Company," to strike out the letter "C" and insert the letter "E;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ezra A. Bennett, late of Company E, Thirty-first Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM R. WALLACE.

The bill (H. R. 5171) granting an increase of pension to William R. Wallace was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William R. Wallace, late of Company E, Seventieth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 a month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CYRUS JOHNSON.

The bill (H. R. 5170) granting a pension to Cyrus Johnson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cyrus Johnson, substitute for Elijah S. Coat, late private in Company H, One hundred and fifty-fourth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$12 a month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRIET E. MEYLERT.

The bill (S. 3058) granting an increase of pension to Harriet E. Meylert was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harriet E. Meylert, widow of Asa P. Meylert, late medical director of the Army of the Ohio and Cumberland and originally surgeon of the Fifteenth Regiment Pennsylvania Infantry Volunteers, and to pay her a pension of \$50 per month in lieu of that she is now receiving.

Mr. GALLINGER. I move to amend by striking out the word "fifty" before the word "dollars," in line 10, and insert "forty," so as to read "forty dollars."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNA WHITNEY TARBELL.

The bill (S. 2142) for the relief of Anna Whitney Tarbell was considered as in Committee of the Whole.

Mr. GALLINGER. I move the amendments which I send to the desk.

The SECRETARY. In line 6 it is proposed to correct the word "Jonathan" so as to read "Jonathan;" in line 7, before the word "Brevet," to insert "and;" and after the word "her," in line 8, to insert "a pension at the rate of;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna Whitney Tarbell, widow of Jonathan Tarbell, colonel Ninety-first Regiment New York Volunteer Infantry and brevet brigadier-general, and pay her a pension at the rate of \$30 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL DORNON.

The bill (S. 3342) granting an increase of pension to Samuel Dornon was announced as the next case in order on the Calendar. Mr. GALLINGER. Let the bill be passed over.

The PRESIDENT pro tempore. It will be passed over.

HELEN G. HEINER.

The bill (S. 3534) granting an increase of pension to Helen G. Heiner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Helen G. Heiner, widow of the late Capt. Robert G. Heiner, Company A, First United States Infantry, and to pay her a pension of \$40 per month in lieu of that she is now receiving.

Mr. GALLINGER. In line 8, before the word "dollars," I move to strike out "forty" and insert "thirty;" so as to read: "thirty dollars per month."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HELLEN LANG.

The bill (S. 3467) granting a pension to Hellen Lang was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twelve" and insert "fifteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hellen Lang, widow of James Lang, late of Company C, Eleventh Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$15 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AUGUSTUS C. PYLE.

The bill (S. 1274) granting an increase of pension to Augustus C. Pyle was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Augustus C. Pyle, late of Company G, Thirty-fifth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN CARR.

The bill (S. 1776) granting a pension to John Carr was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Carr, late of Company D, One hundred and sixteenth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ROSA L. COUCH.

The bill (S. 314) granting a pension to Rosa L. Couch, of Leavenworth, Kans., was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, after the word "Volunteers," to insert "and pay her a pension at the rate of \$12 per month;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rosa L. Couch, of Leavenworth, Kans., widow of Simon A. Couch, late captain in Company D, Thirtieth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

Mr. GALLINGER. In line 6, I move to strike out the words "of Leavenworth, Kans.," and in line 7, the word "in," after the word "captain."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title of the bill was amended so as to read: "A bill granting a pension to Rosa L. Couch."

MRS. THERESE W. HARD.

The bill (H. R. 6019) granting a pension to Mrs. Therese W. Hard was considered as in Committee of the Whole. It proposes

to place on the pension roll the name of Therese W. Hard, widow of Benjamin F. Hard, late of Company G, First Regiment Ohio Volunteer Light Artillery, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRISON CANFIELD.

The bill (H. R. 7323) granting an increase of pension to Harrison Canfield was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harrison Canfield, late of Company C, Thirty-fifth Regiment New York Volunteer Infantry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILFORD COOPER.

The bill (H. R. 8045) granting an increase of pension to Wilford Cooper was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Wilford Cooper, late of Company D, Fourth Missouri State Militia Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PHEBE S. RILEY.

The bill (H. R. 5970) granting a pension to Phebe S. Riley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "fifteen" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Phebe S. Riley, blind and helpless daughter of Lucas S. Riley, late of Company D, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM A. KEYES.

The bill (S. 3549) granting a pension to W. A. Keyes was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William A. Keyes, late first lieutenant Company D, One hundred and fourteenth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to William A. Keyes."

LUKE H. COOPER.

The bill (H. R. 1147) granting an increase of pension to Luke H. Cooper was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Luke H. Cooper, late assistant surgeon, Seventeenth Regiment Michigan Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. EDMONDS.

The bill (H. R. 4335) granting a pension to William H. Edmonds was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "fourteen" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Edmonds, the helpless and idiotic son of Joseph C. Edmonds, late of Company E, Twelfth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$12 per month, such pension to be paid to his duly constituted guardian.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MELANCTHON M'CROY.

The bill (S. 3099) granting an increase of pension to M. McCoy was considered in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the name "McCoy," to strike out the letter "M" and insert "Melancthon;" and in line 8, before the word "dollars," to strike out "seventy-five" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Melancthon McCoy, late of Company K, One hundred and forty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Melancthon McCoy."

LAURA S. PONTIOUS.

The bill (H. R. 4657) granting a pension to Laura S. Pontious was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Laura S. Pontious, widow of Augustus T. Pontious, late first sergeant Company B, One hundred and thirty-ninth Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE J. STEALY.

The bill (H. R. 1768) granting an increase of pension to George J. Stealy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George J. Stealy, late captain and assistant quartermaster, United States Volunteers, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALFRED T. MORELAND.

The bill (H. R. 6089) granting a pension to Alfred T. Moreland was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alfred T. Moreland, late recruit of Company L, Thirteenth Regiment Tennessee Volunteer Cavalry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILBUR F. LOVELAND.

The bill (H. R. 4886) granting an increase of pension to Wilbur F. Loveland was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Wilbur F. Loveland, late of Company E, Seventh Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLEN V. MYER.

The bill (H. R. 3312) granting an increase of pension to Ellen V. Myer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellen V. Myer, widow of George V. Myer, late of Company K, Fiftieth Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of \$15 per month and \$2 per month additional for the minor child, Cecil B., in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LOIS A. FIELDS.

The bill (H. R. 4562) granting a pension to Lois A. Fields was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lois A. Fields, widow of George W. Fields, late of Company I, Forty-seventh Regiment Pennsylvania Volunteer Militia, and to pay her a pension of \$8 per month, and \$3 per month additional for the child of said George W. Fields until said child shall arrive at the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WESLEY REED.

The bill (H. R. 625) granting an increase of pension to Wesley Reed was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Wesley Reed, late a private in Company E, Thirty-eighth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES H. GATES.

The bill (H. R. 8339) granting an increase of pension to Charles H. Gates was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles H. Gates, late private, First Independent Battery, New York Volunteer Light Artillery, and to pay him a pension of \$45 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JANE F. CHALMERS.

The bill (H. R. 1946) granting a pension to Jane F. Chalmers, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jane F. Chalmers, widow of George Chalmers, alias George Watts, late of Company D, Eighth Regiment United States Infantry, and of Company A, Sixty-ninth Regiment New York Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN F. KURTZ.

The bill (H. R. 6900) granting an increase of pension to Benjamin F. Kurtz was considered as in Committee of the Whole.

It proposes to place on the pension roll the name of Benjamin F. Kurtz, late of Company A, Second Regiment West Virginia Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REBECCA J. JONES.

The bill (H. R. 1172) granting a pension to Rebecca J. Jones was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 3, after the word "he," to insert "is;" in the same line, after the word "hereby," to strike out "is;" in line 6, before the word "widow," to insert "former;" and in line 7, before the word "company," to strike out "private in" and insert "of;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rebecca J. Jones, former widow of William J. Comstock, late of Company F, Twenty-first Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

Mr. GALLINGER. The committee suggested some technical amendments. They are inconsequential, and I ask the Senate to disagree to the amendments to the bill.

The amendments were rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEWIS TERRY.

The bill (S. 3119) granting an increase of pension to Lewis Terry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lewis Terry, late of Captain McClintock's company, Kentucky Home Guard Regiment, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELIZA L. REESE.

The bill (S. 2729) granting a pension to Eliza L. Reese was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Eliza L. Reese, widow of James T. Reese, private in company commanded by Capt. William Butt, Creek Indian war of 1836, and to pay her a pension of \$8 per month.

Mr. GALLINGER. In line 4 I move to substitute the word "on" for the word "upon;" at the beginning of line 5 I move to strike out "otherwise;" in lines 6 and 7 I move to strike out the words "private in company commanded by;" in line 7 I move to strike out the word "Butt" and insert the words "Butt's company;" so as to read "Capt. William Butt's company;" and in line 9, after the word "pension," I move to insert the words "at the rate."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELVIRA HUNTER.

The bill (S. 1901) granting a pension to Elvira Hunter was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an

amendment, in line 9, before the word "dollars, to insert "eight;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elvira Hunter, widow of Nicholas Hunter, deceased, of Company F, First Regiment Arkansas Mounted Gunners in the war known as the Sabine disturbance, at the rate of \$8 per month.

The amendment was agreed to.

Mr. GALLINGER. In line 6 I move to strike out the word "deceased" and insert the words "late of;" and in line 8, after the word "disturbance," I move to insert "and pay her a pension."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELIZABETH F. WOLFLEY.

The bill (S. 3082) granting a pension to Elizabeth F. Wolfley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth F. Wolfley, widow of William I. Wolfley, late assistant surgeon of the Sixty-second Regiment Ohio Volunteer Infantry and surgeon of United States Volunteers, and to pay her a pension of \$25 per month.

Mr. GALLINGER. In line 4, after the word "roll," I move to insert the words "subject to the provisions and limitations of the pension laws;" and at the beginning of line 8 I move to strike out the word "to;" so as to read "and pay her a pension."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNA M. COLLIER.

The bill (S. 3790) to increase the pension of Anna M. Collier was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna M. Collier, widow of Benjamin W. Collier, late second lieutenant Company D, First Regiment Virginia Volunteers, war with Mexico, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Anna M. Collier."

ANNIE D. M. WOOD.

The bill (S. 1975) granting a pension to Annie D. M. Wood was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 1, after the name "Wood," to insert "widow of the late Commander Edward Parker Wood, United States Navy;" in line 3, before the word "dollars," to strike out "one hundred" and insert "fifty;" and in the same line, after the word "of," to strike out "the pension of \$30 per month which she now receives" and insert "that she is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie D. M. Wood, widow of the late Commander Edward Parker Wood, United States Navy, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Annie D. M. Wood."

Mr. GALLINGER. I move to strike out the preamble.

The motion was agreed to.

HELEN M. GLENNY.

The bill (S. 4030) granting a pension to Helen M. Glennly was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "of," to strike out "the late;" in line 7, before the word "colonel," to insert "late lieutenant;" and in the same line, before the word "Sixty-fourth," to strike out "of the;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Helen M. Glennly, widow of

William Glenny, late lieutenant-colonel Sixty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$30 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EDITH LOCKWOOD STURDY.

The bill (S. 2400) granting an increase of pension to Edith Lockwood Sturdy, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edith Lockwood Sturdy widow of Edward William Sturdy, late lieutenant-commander, United States Navy, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM F. TAIT.

The bill (H. R. 6731) granting an increase of pension to William F. Tait was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William F. Tait, late of Company G, Eighty-ninth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ORANGE F. BERDAN.

The bill (H. R. 6486) granting an increase of pension to Orange F. Berdan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Orange F. Berdan, late of Company C, Fifth Regiment Michigan Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN O'CONOR.

The bill (H. R. 4795) granting an increase of pension to John O'Connor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John O'Connor, late of Company G, One hundred and tenth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN WHITE.

The bill (H. R. 8397) granting an increase of pension to John White was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John White, late of Company I, Fourteenth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSHUA RICKETTS.

The bill (H. R. 3758) granting an increase of pension to Joshua Ricketts was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joshua Ricketts, late of Company B, Bissell's Engineer Regiment of the West, Missouri Volunteers, and first sergeant Company A, One hundred and forty-third Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCES D. BEST.

The bill (H. R. 3821) granting an increase of pension to Frances D. Best was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frances D. Best, widow of Joseph G. Best, late lieutenant-colonel Twenty-first Regiment Missouri Volunteer Infantry, and to pay her a pension of \$30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BERNARD DUNN.

The bill (S. 4007) granting an increase of pension to Bernard Dunn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Bernard Dunn, late of Company A, Second Regiment Iowa Volunteer Cavalry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELLEN J. WILLIAMS.

The bill (H. R. 8599) granting a pension to Ellen J. Williams was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellen J. Williams, widow of William F. Williams, late of Company D, Thirteenth Regiment Wisconsin Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PHEBE E. C. PRIESTLY.

The bill (S. 1569) granting a pension to Mrs. Phoebe E. C. Priestly was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mrs. Phoebe E. C. Priestly, on account of her services as a nurse for the sick and wounded Union soldiers at Humansville, Mo., during the years 1862, 1863, and 1864, and to pay her a pension of \$12 per month.

Mr. GALLINGER. In line 6 I move to strike out the word "Mrs." before the name; and after the word "Priestly," in the same line, I move to strike out "on account of her services as a nurse for the sick and wounded Union soldiers at Humansville, Mo." and insert "late an Army nurse."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Phoebe E. C. Priestly."

CATHARINE WEINHIMER.

The bill (S. 3436) granting a pension to Caroline Wienhimer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catharine Weinheimer, widow of Melchior Weinheimer, late of Company I, First Regiment United States Reserve Corps Missouri Volunteer Infantry, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Catharine Weinheimer, invalid and dependent child of said Melchior Weinheimer, the additional pension herein granted on account of such child shall cease and determine.

Mr. COCKRELL. This bill, as I introduced it, was for "Caroline Wienhimer, the idiotic and deformed child of Melchior Wienhimer, of Companies K and I, First Regiment United States Reserve Corps Missouri Volunteer Infantry." I did not know that the mother was drawing a pension. I suppose she is.

Mr. GALLINGER. She is. I will say to the Senator that the mother is drawing a pension, and it is not the habit of the Bureau to grant two pensions for the same service, but this was a case of great distress, and instead of pensioning the child the committee thought it advisable to increase the pension of the mother, as the substitute bill does. I move that, in line 11, the committee amendment be amended by striking out the words "on account of such child," after the word "granted."

Mr. COCKRELL. Let us see how that would read.

The SECRETARY. In line 11 strike out the words "on account of such child;" so as to read:

The additional pension herein granted shall cease and determine.

Mr. GALLINGER. In the event of the death of the child the additional pension would cease and determine. I think the Senator from Missouri will, upon examining the case, see that the committee acted wisely in this matter.

Mr. COCKRELL. I have no objection to it at all. I simply did not want to get it confused, and I did not know the mother was a pensioner.

Mr. GALLINGER. Such is the fact. I will say to the Senator that a certain other body is getting quite in the habit of sending such bills over here. The committee has one before it granting three pensions for one service.

Mr. COCKRELL. I do not want that done. I want to conform strictly to the rule of the committee. I drew this bill without knowing anything about the widow drawing any pension at all. I drew it on account of this helpless and dependent child of a soldier.

Mr. GALLINGER. Precisely.

Mr. COCKRELL. But the committee has reported it properly to increase the widow's pension on account of this dependent child, and then that the increased pension shall cease at the death of the child.

Mr. GALLINGER. It is to cease on the death of the child.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Catharine Weinheimer."

JOSEPH B. COONS.

The bill (S. 825) granting an increase of pension to J. B. Coons was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph B. Coons, late captain Company B, Thirty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Joseph B. Coons."

SAMUEL B. WEEKS.

The bill (H. R. 3941) granting a pension to Samuel B. Weeks was considered as in Committee of the Whole. It proposes to pay to Samuel B. Weeks, late of Company L, Ninth Regiment Indiana Volunteer Cavalry, a pension of \$12 per month granted to him by certificate No. 581146, under the act of June 27, 1890, without any further deduction or rebate on account of former overpayments or erroneous payments of pension.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSHUA MITCHELL.

The bill (H. R. 8390) granting an increase of pension to Joshua Mitchell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joshua Mitchell, late of Company D, Eighth Regiment Kansas Volunteer Infantry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL W. CHILDS.

The bill (S. 78) granting a pension to Samuel W. Childs was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "Cavalry," to insert "and pay him a pension at the rate of \$12 per month;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel W. Childs, late of the quartermaster's department, Company E, First Oregon Cavalry, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY CORINNE BLANDIN.

The bill (S. 3922) granting an increase of pension to Mary Corinne Blandin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Corinne Blandin, widow of Lieut. John Joseph Blandin, late of the United States Navy, and to pay her a pension of \$50 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH E. BALDWIN.

The bill (H. R. 3454) granting a pension to Joseph E. Baldwin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph E. Baldwin, late of Company C, First Regiment Enrolled Missouri Militia, Company C, Seventh Regiment Enrolled Missouri Militia, and Company E, Thirty-second Regiment Enrolled Missouri Militia, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MEXICAN WAR PENSIONS.

The bill (S. 3683) to increase the pensions of widows of the Mexican war soldiers and sailors to \$16 per month was announced as next on the Calendar.

Mr. GALLINGER. Let that bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. PETTUS. I should like to ask the Senator in charge of the pension bills to let us know why the Mexican pension bill should go over?

Mr. GALLINGER. Mr. President—

The PRESIDENT pro tempore. Under the unanimous-consent agreement the bill will go over because, being an adverse report, it is regarded as objected to.

Mr. PETTUS. Is there an adverse report with the bill?

The PRESIDENT pro tempore. Yes, sir; and there being an adverse report, it is in the nature of an objection, and under the unanimous-consent agreement the bill would go over anyway.

The bill (S. 2504) granting increase of pension to soldiers of the Mexican war was announced as next in order.

The PRESIDENT pro tempore. That bill will also go over, it being adversely reported.

ELISHA F. BARTON.

The bill (S. 3268) granting an increase of pension to Elisha F. Barton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifteen" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elisha F. Barton, late of Company E, Fourth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY P. HUNTER.

The bill (S. 3634) granting a pension to Mary P. Hunter was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twelve" and insert "eight;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary P. Hunter, widow of Joseph Hunter, late of Company C, Sixth Regiment Delaware Volunteer Infantry, and pay her a pension at the rate of \$8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SARAH CLARK.

The bill (S. 3900) granting a pension to Sarah Clark was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the initial "W.," to strike out "Cook" and insert "Clark;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah Clark, widow of John W. Clark, late of Company G, Sixth Regiment Delaware Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN H. HARRISON.

The bill (S. 3708) granting a pension to John H. Harrison was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "of," to insert "U. S. S. Walker;" and in line 8, before the word "dollars," to strike out "twenty-four" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John H. Harrison, late of U. S. S. Walker, United States Navy, and pay him a pension at the rate of \$12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES COOK.

The bill (S. 3899) granting a pension to James Cook was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Cook, late of Company G, Sixth Regiment Delaware Volunteer Infantry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MISSOURI B. ROSS.

The bill (H. R. 1677) granting an increase of pension to Missouri B. Ross was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Missouri B. Ross, widow of Orlando H. Ross, late of Company D, Twentieth Regiment Illinois Volunteer Infantry, and captain and aid-de-camp, staff of General Grant, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAAC M. LOCKE.

The bill (H. R. 1681) granting an increase of pension to Isaac M. Locke was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac M. Locke, late of Company F, Fifteenth Regiment West Virginia Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LAVINIA M. PAYNE.

The bill (H. R. 2303) granting an increase of pension to Lavinia M. Payne was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "pension," to insert "at the rate;" and in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lavinia M. Payne, late a nurse in the medical department of United States Volunteers, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

Mr. GALLINGER. I move that the committee amendments be disagreed to.

The PRESIDENT pro tempore. Without objection, the committee amendments will be disagreed to.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CALVIN E. MYERS.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 3654) granting a pension to Calvin E. Myers, to report it without amendment. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Calvin E. Myers, late of Company E, Fourth Regiment Tennessee Volunteer Infantry, and to pay him a pension of \$12 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT GREAT FALLS, MONT.

Mr. CARTER. I ask unanimous consent of the Senate for the present consideration of the bill (S. 943) to provide for the erection of a public building in the city of Great Falls, Mont.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, at a cost not exceeding \$20,000, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, for the use and accommodation of the United States post-office and other Government offices in the city of Great Falls and State of Montana, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of \$200,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination and of his recommendation thereon and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after said examination, make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all maps, statements, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed \$9 per day and actual traveling expenses: *Provided, however,* That the member of said commission appointed

from the Treasury Department shall be paid only his actual traveling expenses.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EAST WASHINGTON HEIGHTS RAILROAD COMPANY.

Mr. SULLIVAN. I ask unanimous consent for the present consideration of the bill (H. R. 4604) to amend the charter of the East Washington Heights Traction Railroad Company.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with amendments, on page 2, section 1, line 5, after the word "northward," to strike out "along the Anacostia road" and insert "on Minnesota avenue as laid down on the highway-extension plans;" and in line 9, after the word "Columbia," to strike out the following proviso:

Provided, That said railway shall be removed from Anacostia road and placed in Minnesota avenue within one year after said avenue is opened up as a public thoroughfare.

So as to make the section read:

That the charter of the East Washington Heights Traction Railroad Company, of the District of Columbia, be, and the same is hereby, amended so as to authorize and permit the said company to lay down its tracks and operate its cars from its present authorized terminus at the western approach to the Pennsylvania Avenue Bridge, as provided in section 1 of the act of incorporation; thence north on Seventeenth street east to East Capitol street; thence west on East Capitol street to Fifteenth street east, connecting with the Metropolitan Railway; also from the intersection of Minnesota avenue and Harrison street thence westerly on Harrison street to Pierce street; thence southerly on Pierce street to Jackson street; thence westerly along Jackson street to Monroe street; also northward on Minnesota avenue as laid down on the highway-extension plans, to connect with the Columbia Railway at Benning, over a route and at a point acceptable to and approved by the Commissioners of the District of Columbia.

The amendment was agreed to.

The next amendment was to add to section 2 the following proviso:

Provided, That if within two years from the date of the passage of this act the Washington and Marlboro Railroad Company shall build its lines into and within the District of Columbia, then said company shall have the right to use such of the routes in this act provided for as may coincide with the route provided for in the charter of the said Washington and Marlboro Railroad Company.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JERONEMUS S. UNDERHILL.

Mr. WARREN. I desire to call up at this time the bill (S. 2259) for the relief of Jeronemus S. Underhill.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Senator from Wyoming asks unanimous consent for the present consideration of a bill, which will be read for the information of the Senate.

Mr. WARREN. It is a bill that was passed over without prejudice some days ago.

The PRESIDING OFFICER. The Chair is informed that the bill has been read once, and unless a request be made for another reading it will not now be read.

Mr. BATE. I ask to have the bill read.

The PRESIDING OFFICER. The bill will be again read.

The Secretary read the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HALE. Yes; I object, Mr. President.

Mr. WARREN. I will ask the Senator from Maine if he will not withdraw his objection for a moment until I can state the case?

Mr. HALE. Certainly.

Mr. WARREN. This is one of a class of claims which have engaged the attention of the Committee on Claims more or less for a good many years, one of a class of bills some of which have passed this Senate or passed the House at different sessions alternately, and some of which have passed both Houses. This bill has not yet passed both Houses. The committee have spent a good deal of time in examining the entire subject relating to the causes which have led up to these claims, and to the reports of the so-called Marchand and Selfridge boards with regard to the construction of this class of boats. We have allowed some bills to go through with less scrutiny than we give to others; and we now seek to get the findings of the Court of Claims, I might say, on sample or representative cases, and the Committee on Claims have prepared a statement which goes over the entire subject

briefly, and which, if the bill is allowed to pass, as I hope it will be, I want to have inserted in the RECORD and also printed as a miscellaneous document, so that we may be able to fully consider and to reach some finality regarding this class of claims.

Mr. HALE. Mr. President—

Mr. WARREN. I hope the Senator will not object.

Mr. HALE. I do not know that I shall object, but I want a little information. I did not hear the bill fully read.

Mr. WARREN. I will say to the Senator that this case was passed upon by one of these special naval boards, and now it is proposed to ask the Court of Claims to review the findings of the board.

Mr. HALE. What I want to ask the Senator is, What class of cases does this bill cover? Is it one of the ships lately built, while we have been increasing the Navy within the last ten or twelve years, or is it one of the old cases that we have passed, of claims in reference to vessels used during the war of the rebellion?

Mr. WARREN. This is an old case. This is in reference to one of the so-called double-enders boats which were constructed immediately after the *Monitor* had distinguished herself in wrecking the *Merrimac*. Contracts were let for building boats similar to the *Monitor* upon the slight information they then had. The boats, before in some cases even the keels were laid, were altered because the *Monitor* was found to be a failure in many respects. The first boat built under these contracts sank before it got out of sight of land. The consequence was that every one of the remaining boats had to be changed. Under the terms of agreement the contracts were let to parties who were to finish the vessels in from three to five months, as the case might be, or pay heavy forfeits. Then came the Government with new plans and new alterations and consequent delays. Because of this there was a largely increased expenditure. Then followed the so-called Selfridge board and the Marchand board, who reviewed the cases and found for the various amounts recommended as justly due these various builders. This is one of a class of cases desired to be sent to the Court of Claims for final adjudication.

Mr. HALE. I am very glad to get this information. There were cases of this kind that came over from the civil war where, undoubtedly, the contractors had good claims against the Government. These double-enders furnish instances of that kind. Congress has passed several bills that were sent to the Court of Claims, and several of them have been paid. This being one of those claims, I do not object to it because I know something about them.

I was afraid when I rose that this was one of a class of cases, which have arisen in the last five or six years, where contractors with the Navy Department for modern ships have not only got their contract money but have got immense premiums for increased speed, and are now clamoring at our doors for damages for detention and all the imaginable and ingenious things that can be got up by contractors, to which I am entirely opposed. If this were one of those cases, I certainly should insist upon my objection; but as it is not of that class, I do not object.

Mr. WARREN. I will say to the Senator that the class of cases he speaks of will certainly receive very close scrutiny if they get to the Senate Committee on Claims.

Mr. HALE. I am sorry to say the committee has reported one or two cases that, so far as I am concerned, I will not if I can help it permit to go through.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. BATE. How much is involved in the bill?

Mr. WARREN. The Court of Claims will have to determine that. It may be \$5,000 and it may be \$20,000, but the Court of Claims will determine.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. COCKRELL. I want the papers presented by the Senator from Wyoming printed as a separate document, because we may have use for it.

Mr. WARREN. I ask that the papers which I send to the desk may be printed in the RECORD and also printed as a document.

The PRESIDING OFFICER. That order will be made, in the absence of objection.

The papers referred to are as follows:

CERTAIN CLAIMS FOR EXTRA PAYMENTS FOR VESSELS BUILT FOR THE UNITED STATES NAVY.

At the commencement of the war, in April, 1861, the United States Government had only 89 vessels of all kinds, including ships of the line, frigates, sloops of war, brigs, steam sloops, etc., ranging from a tonnage of 566 tons in a sloop of war up to a tonnage of 4,580, the largest vessel in our Navy at that time.

At the breaking out of the war the vessels first built were screw sloops and gunboats. The first ironclad vessel constructed was the *Monitor*, which was turned over to the Government in March, 1862, followed the next month by the *Galena*.

From 1861 up to May, 1863, the Government built itself, and had built by

different contractors, 179 vessels. Of this number 20 were light-draft monitors, of which the following is a history in part:

During the year 1862 the necessity for some light-draft armored vessels for operations on our Western rivers and the shallow bays and sounds upon the Atlantic and Gulf coasts became so urgent that the Navy Department determined to provide some for that purpose, if possible. Application was made to Mr. John Ericsson, the inventor of the original monitor, for a plan of a light-draft monitor, to carry one turret and to have a draft of from 6 to 6½ feet. On the 9th of October Mr. Ericsson submitted to the Department a plan, which, to use his words, was not intended as a working plan, yet it defined with clearness and precision the general principle and the mode of building the vessel, engines, boilers, and propeller.

Mr. Ericsson not having time to make all the calculations and detailed working plans, that work was confided to Chief Engineer Alban C. Stimers, of the United States Navy. Mr. Stimers had been engaged with Mr. Ericsson in the construction of the first monitor; had gone in that vessel in the capacity of engineer from New York to Hampton Roads; had there assisted in the contest between the *Monitor* and the rebel ironclad *Merrimac*, and since that time had been engaged more or less, by order of the Navy Department, in superintending the construction of the other monitors contracted for by the Department. The detailed plan having been prepared by Mr. Stimers, the Department advertised for proposals.

From the bids thus received a general average price was established of a little less than \$400,000 each, and during the months of March, April, and May, 1863, contracts were made for the building of 20 light-draft monitors upon the same plan. Mr. Stimers was placed in charge of their construction, and the contractors were directed to look to him for instructions. He was ordered to consult with Mr. Ericsson in preparing his plans and drawings for contractors, and, at his own request, was authorized to establish an office and employ assistants in New York City, where he could have facilities for frequent and easy consultation with Mr. Ericsson.

In May, 1863, the first of these vessels, the *Chimo*, built by Mr. Aquila Adams, was launched at Boston. She was found to be a failure, so far as the original design was concerned, of a light-draft river monitor. All these vessels having been designed upon the same plan, further work was at once suspended upon them. A commission was appointed on the 11th of June, 1864, to examine them and to recommend what should be done with them to remedy their defects.

The commission reported on the 9th of July, 1864, recommending that 5 of the vessels should be changed into torpedo boats by removing the turrets, etc., in order to lighten their draft, and that the other 15 should be changed by building up their sides 22 inches, increasing their draft, but rendering them more serviceable as monitors. That recommendation was adopted by the Department, and the proposed changes have been carried out.

These vessels were found to be defective in draft and in speed. Instead of being some 15 inches out of water when fully completed and equipped, as was the original design, it was found that they would barely float, their decks being awash with the water. Their speed, instead of being from 7 to 9 knots an hour, was found upon trial to be only from 3½ to 4 knots an hour.

The increased draft was caused, first, by reason of a miscalculation of the weights of the materials and the amount of displacement, and secondly, in consequence of the additions and alterations made in the plans after the contracts were entered into. Many of these alterations were considered necessary from the experience gained by the Navy in the attack made by the monitors and other vessels upon the rebel forts in the harbor of Charleston, and were adopted to obviate defects which that engagement showed to exist in the monitors.

When it was found that these vessels were failures as originally designed and constructed, Mr. Stimers was removed from the position he had held in relation to them, and they were placed in charge of other officers and altered as recommended by the commission appointed to examine them.

Because of these many changes, and others, and consequent extra cost of construction, the "Selfridge board" was organized in compliance with a resolution of the Senate of March 9, 1865, and the Secretary of the Navy, Gideon Welles, appointed Commodore Thomas O. Selfridge, Chief Engineer Montgomery Fletcher, and Paymaster Charles H. Eldredge.

The board commenced its session on the 5th of June, 1865, and adjourned December 23, 1865, having been in session one hundred and seventy-two days and examined the claims of 57 contractors. This board recommended to Congress the payment of \$2,270,627.14. Of this amount Congress has since paid nearly \$900,000. This board gave the claims before it very close scrutiny. The majority of the claims considered were for hulls and machinery of what were called wooden double-enders.

These claims grew out of the hurry and confusion incident to the building of a navy during the war, and appear to be directly due to the fact that the Government was not prepared at the time the contracts were let to furnish specific plans of what it desired. The shipbuilders were seen by Mr. A. C. Stimers, who had charge of the bureau of construction in New York, and some of them, according to their testimony, were practically impressed into the service of accepting contracts upon such crude descriptions as Mr. Stimers could give them of what he wanted.

The *Paul Jones* was generally used by him as an illustration of what he would expect in the way of vessels, whereas it appears that in all cases of the vessels contracted for the machinery was heavier and more expensive than that of the *Jones*. In the case of the *Peoria*, for instance, the engines weighed nearly 600,000 pounds, while those of the *Jones* weighed only 380,000 pounds.

The delay, ranging from six months to eighteen months, caused by the Government's tardiness in furnishing plans and its persistence in changing its plans caused loss by virtue of the increase in the cost of labor and materials. These increased prices are dwelt upon in an affidavit made by the late John Roach when the claims first came before Congress, in which he said:

"The great scarcity of skilled mechanics, the disorganization of labor during and in consequence of the war, he giving out of so many contracts at the same time for steam machinery by the Government, and the chartering of so many steam vessels of all classes to be used in the Government service created a demand for skilled mechanics to meet which the ordinary supply was totally inadequate."

"Later this state of affairs was much aggravated by numbers of mechanics, induced by the heavy bounties, entering the volunteer service, others being conscripted or moving to distant localities to avoid conscription, many of the best workmen being absorbed by the Navy and navy-yards, others being attracted into avocations rendered by the war temporarily more lucrative than mechanical pursuits."

"Not only the cost of labor kept advancing through the whole time the work was in progress until it reached from 50 to 100 per cent above the rates paid at the time the contract was made, but owing to the great infusion of inexperienced hands its efficiency kept as steadily falling to a lower standard, taking much longer to build a pair of engines at that period than it had previously done with the same number of workmen at lower prices."

"This disorganization in the labor market affected the cost of work indirectly as well as directly, subcontractors in most instances failing to finish the articles contracted for at the time specified, and in many instances furnishing materials which, not coming up to the standard of quality, had to be

condemned and replaced, causing much delay, unnecessary labor, and increase in cost.

"The enormous advance in the cost of all materials was in a great measure owing to the depreciation in value of paper money, caused by the extraordinary issue by the Government of an irredeemable currency. Pig iron rose while the work was in progress from \$27 per ton in October, 1862, when the contract was made, to \$80; boiler plate from 6½ cents per pound to 10½ cents; bar iron from \$72.50 to \$220 per ton; ingot copper from 25½ cents to 51½ cents per pound; sheet copper from 30½ cents to 70 cents per pound."

Later on the "Marchand board" was organized under the act of March 2, 1867, with Commodore J. B. Marchand as president; Chief Engineer J. W. King and Paymaster Edward Foster as the other members of the board. They examined the claims of 48 contractors, were in session one hundred and twenty-three days, and had under consideration claims amounting to \$10,184,592.50. They took no testimony and had no hearings, but found due different contractors for vessels built by them the sum of \$225,988.56, which was paid by act of Congress approved July 13, 1868.

The Navy Department on August 6, 1869, appointed another board, called the "Boggs board," which examined the claims of one contractor and awarded him \$93,116.98. This amount was an additional allowance to that made by the Marchand board to a contractor who had been awarded \$115,539. That Congress has not considered the action of the Marchand board as final is evidenced by the following list of claims paid since that board was organized:

Name of vessel.	Date of Marchand board report.	Amounts paid to various contractors since Marchand board report was made, saying nothing due.	Date of payment.	How paid.	Found due by Marchand board and appropriated by Congress.	Date of payment.
Shiloh	Nov. 23, 1867.	\$125,000.00	1873	Congress direct		
Squanto	do	115,157.00	1892	Court of Claims		
Umpqua	do	118,327.00	1893	do		
Manayunk	do	91,072.99	1893	do		
Nauset	do	101,529.71	1894	do		
Tippecanoe	do	76,000.00	1870	do		
Cimarron	do	48,000.00	1874	Congress direct		
Keokuk	do	50,000.00	1870	do		
Standish	do	86,400.00	1867	do		
Mayflower	do	28,000.00	1870	do		
Modoc	do	127,077.00	1896	Court of Claims		
Naubuc	do	127,077.00	1896	Court of Claims		
		993,563.70				
Canonicus	do		1868		\$38,513.00	1868.
Casco	do		1868		4,852.58	July 13
Chimo	do		1868		4,852.58	Do.
Cohoes	do		1868		4,852.58	Do.
Sandusky	do		1868		15,171.00	Do.
Marietta	do		1868		3,694.81	Do.
Mackinaw	do		1868		38,513.00	Do.
Saugus	do		1868		115,985.01	Do.
Manhattan	do		1868			Do.
Tecumseh	do		1868			Do.
Mahopac	do		1868			Do.
					225,988.56	
Amount paid to various contractors since Marchand board reported saying there was nothing due.					966,563.70	
Amounts found due by Marchand board and appropriated by Congress (act July 13, 1867)					225,988.56	
Amount paid by Congress before the Marchand board was organized					1,249,000.00	
					2,441,553.26	
Oneola	do				None	
Catawba	do				do	
Turrets of Miantonomoh and Tonawanda	do				do	
Turrets of Monadnock and Agamenticus	do				do	
Yazoo	do				do	
Koka	do				do	
Warsaw	do				do	
Shawnee	do				do	
Etlah	do				do	
Klamath and Yumah	do				do	
Muscola	do				do	
Mohongo	do				do	
Winnepoc	do				do	
Chicopec	do				do	
Agawam and Pontoosuc	do				do	
Iosco	do				do	
Lenape	do				do	
Mingo	do				do	
Eutaw	do				do	
Massasoit	do				do	
Port Royal	do				do	
Mattabesett	do				do	
Osceola	do				do	
Mendota	do				do	
Metacomet	do				do	
Chenango	do				do	

At a later Congress the validity of the awards of the Selfridge board was still further recognized by the payment of \$22,386.61 on account of the *Otsego*,

\$64,693.97 for the machinery of the *Agawam* and *Pontoosuc*, \$13,777.24 for the hulls of the *Agawam* and *Pontoosuc*, \$68,163.13 for the ironclad vessel *Onondaga*, and \$57,252 for the construction of the *Muscola*. (30 Stats., 1206.) In further settlement of such claims the following amounts have been paid by the United States on ironclad vessels since July 13, 1867:

Name of vessel.	To whom paid.	Amount.
Chimo	A. Adams	\$4,852.58
Cohoes	M. F. Merritt	4,852.58
Mackinaw	Poole & Hunt	3,694.81
Modoc	J. S. Underhill (17 Stat., 671)	28,000.00
Keokuk	C. W. Whitney (17 Stat., 671)	50,000.00
Cimarron	D. S. Mershon (18 Stat., 635)	48,000.00
Standish and Mayflower	James Tetlow	86,000.00
Comanche	Donabue, Ryan & Co. (15 Stat., 353)	179,000.00
Tippecanoe	Miles Greenwood (17 Stat., 409)	76,000.00
Passaic		
Patapsco		
Saugus	John Ericsson (13 Stat., 409)	1,070,000.00
Lehigh		
Montauk		
Catskill		
Canonicus	Harrison Loring (act July 13, 1868)	38,513.00
Casco	Atlantic Works	4,852.58
Saugus	Harlan & Hollingsworth (act July 13, 1868)	38,513.00
Sandusky and Marietta	Tomlinson, Hartup & Co. (act July 13, 1868)	15,171.00
	Secor & Co., and Perine, Secor & Co. (act July 13, 1868)	115,539.01
	do	* 193,116.98
Shiloh	Geo. C. Bester (17 Stat., 733)	125,000.00
Squanto	N. McKay (Court of Claims, 27 Stats., 307)	115,157.00
Umpqua	Snowden & Mason (Court of Claims, 28 Stats., 450)	118,327.00
Manayunk	Snowden & Mason (Court of Claims, 27 Stats., 667)	91,072.99
Nauset	Donald McKay (Court of Claims, 28 Stats., 868)	101,529.71
Naubuc	William Perine (Court of Claims, 29 Stats., 345)	127,077.00
Total		2,534,269.24

* This \$93,000 was paid three years after Congress passed the act to pay the Secors \$115,000.

In discussing claims of this character, Senator Sumner (see Congressional Globe, 1865, page 1592) said:

"The Senator from Kentucky said they took the war into their calculations. Perhaps they did; but who among these contractors could take that war adequately into his calculations? Who among those sitting here or at the other end of the avenue properly appreciated the character of the great contest that was then going on?"

"Sir, we had passed half a century in peace; we knew nothing of war or of war preparations, when all at once we were called to efforts on this gigantic scale. Are you astonished that these contractors did not know more about the war than your statesmen? Be to these contractors as gentle in judgment and as considerate as you have been to others in public life who have erred in their calculations with regard to it.—Congressional Globe, page 1587.

"The building of that invulnerable Navy was one of the great victories of the war, not to be commemorated on any special field, but to be seen in those mighty results which we all now enjoy.

"And now, again, I ask, Are you ready to see these contractors who have done this service sacrificed? You do not allow the soldier to be sacrificed, nor the national creditor who has taken your stock; will you allow the mechanic to be sacrificed? * * * My friend on my right (Mr. Nye) asked you to be magnanimous to these contractors. I do not put it in that way. I ask you simply to be just. Do by them as you would be done by.

"The Senator from Nevada also very fitly reminded you of the experience of other countries. He told you that England, at the close of the Crimean war, when her mechanics had suffered precisely as your mechanics have suffered, did not allow them to be sacrificed, but every pound and shilling of their liabilities under their contracts was promptly met by that Government. Will you be less just to your mechanics than England? It is an old saying that 'Republics are ungrateful.' I hope that this Republic may certainly vie with any monarchy in gratitude to those who served it.—Congressional Globe, page 1587.

During the same debate Senator Hendricks, of Indiana (see Congressional Globe, page 1964, 1865), said:

"I am of the opinion that these sums ought to be paid, as a matter of justice and right, by the Government to these contractors. Each case, of course, has its special merits or demerits. But, sir, I believe in the doctrine that where a man contracts to do a great and very important work for the Government he ought not to be allowed to be a large loser, and, in some cases, as will be the result here, to be broken up by the contract that he may have made, and especially in the case of contracts made at such a time as these were made, and for such work as they were made. * * *

"We had to have these ships; the Government could not progress in the war without them, and great numbers had to be manufactured or contracted for about the same time. What was the effect of that? The Government made a contract with one man, then with another, then with another, and started her own shipyards with all the force it was possible to command. What was the effect of that? Of course, to increase the price of labor; of course, to increase the price of material required in the construction of the ships. There are some general views about the equity of these claims without reference to the particular merit of each case. (Congressional Globe, page 1840, 1866.)

"The point is that, these contracts being made in 1862 and 1863, the prices continued to advance during all the time that these parties were building the vessels and constructing the machinery for them, so that they were over-taken by this enormously high rate of prices and destroyed. (Congressional Globe, page 1862.)

"These contracts were made by some below their own propositions, and at barely fair prices at the then current rates. Is there any Senator here who wishes to see these men broken up merely because they entered into a contract with Government? Is there any Senator here who wishes to say to these men, 'We have your bond, and we will hold you to your bond; we will

take the blood out of your business; we will have the pound of flesh?" (Congressional Globe, page 1964.)

The following letter of Commodore B. F. Isherwood, written in 1887, contains a concise statement of the claims of contractors who constructed the light-draft monitors:

WASHINGTON, D. C., January 26, 1887.

DEAR SIR: I have the pleasure of acknowledging the receipt of your communication of the 22d instant, asking me to inform you of the causes of the alterations and changes in the plans of the light-draft monitors, constructed during the war for the Navy Department, and the causes of the delays in their construction, and whether these delays caused extra expense to the contractors.

In reply I would refer to the report on this subject made by the Hon. B. F. Wade, chairman of the Committee on the Conduct of the War, United States Senate, volume 3. From this report you will find that, although I was, as you state in your note above referred to, the Chief of the Bureau of Steam Engineering in the Navy Department during the war, I had nothing to do whatever with either the designing or the execution of the work for these monitors.

The Navy Department had established what was in effect a bureau for this purpose in New York City, and had placed Mr. Alfian C. Stimers at its head, with a large corps of assistant engineers, draftsmen, etc. The whole work, hulls and machinery, was entirely in his hands. He was absolutely untrammeled, being allowed carte blanche by the Department, and his acts and plans were never submitted to any other person.

The selection of Mr. Stimers by the Navy Department for this duty was most unfortunate. The selection was wholly the act of Mr. G. V. Fox, then the Assistant Secretary of the Navy, who had unbounded but misplaced confidence in Mr. Stimers's abilities. In making the appointment Mr. Fox did not consult either of the mechanical bureaus of the Navy Department, nor was Mr. Stimers's plans ever submitted to them.

The result, as is well known, was a most disastrous failure, due to the absolute and astonishing incapacity of Mr. Stimers, and to the fact of his selection by Mr. Fox without inquiry of the mechanical bureaus as to Mr. Stimers's qualifications. In a professional matter of which Mr. Fox had no knowledge, such a selection without careful investigation of Mr. Stimers's abilities was an act of temerity which in a measure made the Navy Department a party to the cause of failure.

At the commencement, then, Mr. Fox was responsible for a most injudicious selection for a most important position, and Mr. Stimers was responsible for the absurd blunders he committed, and as both represented the Government, the latter was to that extent justly responsible for their acts.

Under this system 20 vessels were built, all of which (they were exact duplicates) proved absolute failures, their only value being their worth as old material. The cost to the Government was about \$3,000,000, and there was, in my opinion, a considerable loss borne by the contractors chargeable to the action of the Government and not yet compensated.

The contracts were taken at a round sum for a certain amount of work to be done in a certain time, conformably to drawings and specifications to be furnished by Mr. Stimers. The responsibilities of the contractors were limited to the quality of the materials and workmanship and to the completion of the vessels in the specified time. They were not at all concerned in the final success or failure of the vessels.

From the first the plans were continually changed and important modifications introduced, all in the direction of more expensive work and materials and requiring longer time for execution. This increased length of time involved greatly increased cost of the work of the contractors, owing to the daily and rapidly increasing rise, at that date, in the cost of materials and labor.

The war was then at its height, and the Government was in the market for the whole mechanical resources of the country, which were not able to meet the demand upon them, and, as a result, the price of certain materials and labor used in the construction of ships and machinery rose abnormally high above even the general increase of price. The loss due to this cause was of necessity borne by the contractors, and has never in any of the settlements made been taken into consideration.

Had the plans and specifications been delivered to the contractors at the date of the contract, so that they could have then made their purchases of materials, and had there been no changes in these plans and specifications, so that the work could have been prosecuted uninterruptedly to completion without the great delays unavoidable to such changes and alterations, it could have been executed in the contract time, and the contractors would have saved to themselves the rise in the price of materials and labor which took place during the extended time.

There must be here recalled that for the great extension of time in the completion of these contracts the Government alone was responsible by the changes, alterations, and additions it made to the work after the contracts were executed. This extension of time reacted upon the cost of the work as a whole, and, though the Government paid a certain sum for additional work, that sum was inadequate to cover the losses of the contractors by the rise in the cost of materials and labor used in the construction of the work done according to the original contract, and which was prolonged in consequence of the alterations and additions.

All that the Government paid for was the price of additional work at current rates, but the work as a whole could only progress together; that which was in accordance with the original contract had to wait until the additions and alterations could be completed, and in the meantime the cost of materials and labor was rising rapidly and enormously.

These delays, which no efforts of the contractors could prevent, and which were caused exclusively by the action of the Government, were ruinous to the contractors by reason of the continual rise of prices; materials and labor became every day scarcer and scarcer; the shops and plant of the contractors were occupied by the vessels that they could neither abandon nor complete. They could not, therefore, take other and remunerative work, and they had to keep a full force of workmen, for if they once lost them they could not at that time be recovered, so great was the demand.

Some approximation may be furnished of the losses sustained by the contractors from the action of the Government in departing from the original plans and specifications by additions and alterations involving great increase of time by estimating the cost to the contractors of the original work, had it been done in contract time, which would have been the case but for the interference of the Government, and the cost of the same work done in the extended time caused by the action of the Government, taking as the basis the average price of materials and labor in the two cases.

The additions and alterations referred to were due to the incapacity of Mr. Stimers to properly design such vessels. Without knowledge of how to proceed, he was constantly vacillating, doing and undoing; completed work was destroyed and other work substituted; time was lost between the notification to the contractors that other plans would be prepared in place of those already furnished and the reception of such plans.

In fact, the character of the vessels was essentially changed during their construction from the original programme; great delays were consequently necessarily experienced, and as the price of materials and labor was continually increasing, due to the continually increasing demand for the same caused

by the war, the cost of executing the work, which was done according to the original contract, was much increased at the expense of the contractors.

Respectfully,

HON. BENJAMIN BUTTERWORTH.
I certify the above is a true copy.
[SEAL.]

B. F. ISHERWOOD.

WM. H. DAVIS,
Notary Public for New Jersey.

WYNN W. PEFFLEY.

Mr. SHOUP. I ask unanimous consent for the immediate consideration of the bill (S. 2762) to authorize the Secretary of War to correct the military record of Wynn W. Peffley. It directs the Secretary of War to correct the military record of Wynn W. Peffley, late sergeant, Company H, First Idaho Infantry, so as to show that his height at the time of enlistment in said organization was 5 feet 10½ inches.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

APPRAISERS AT PHILADELPHIA AND BOSTON.

Mr. LODGE. I ask unanimous consent for the present consideration of the bill (S. 3286) to diminish the number of appraisers at the ports of Philadelphia and Boston.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, in line 8, before the word "thousand," to strike out "five" and insert "four;" so as to make the bill read:

Be it enacted, etc. That sections Nos. 2529 and 2544 of the Revised Statutes of the United States are hereby so amended that there shall be one appraiser of merchandise at each of said ports instead of two, as now provided by law.

The salary of said appraisers shall be \$4,000 each per annum, instead of \$3,000 each, as now established by law.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMERICAN REGISTER FOR STEAMSHIP GARONNE.

Mr. TURNER. I ask unanimous consent for the immediate consideration of the bill (S. 3465) to provide an American register for the steamship *Garonne*.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, in line 8, after the words "United States," to strike out:

Whenever it shall be shown to the Commissioner of Navigation that the repairs put upon such vessel in the United States are equal to three-fourths of the cost of such vessel when so repaired—

So as to make the bill read:

Be it enacted, etc. That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built steamship *Garonne*, owned by Charles Richardson, of Tacoma, State of Washington, and Frank Waterhouse, of Seattle, State of Washington, citizens of the United States, to be registered as a vessel of the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEVI STOLTZ.

Mr. FORAKER. I ask unanimous consent for the present consideration of the bill (S. 879) for the relief of Levi Stoltz.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Commissioner of Internal Revenue, any statute of limitation to the contrary notwithstanding, to consider and adjust the claim of Levi Stoltz, a citizen of Greenville, Darke County, in the State of Ohio, in accordance with the provisions of section 6, act of March 1, 1879, as amended by subsequent acts, for excess of taxes and assessments charged by the United States against him prior to January 1, 1874, on the Greenville distillery, owned and operated by him, said excess of assessments caused by accidental bursting of the stills, necessary changes in the still tubs by errors in surveys, and to refund the amount of taxes that may be found to have been thus overcharged or allowable on account of accident; but the whole sum allowed shall not exceed the sum of \$1,153.56.

Mr. CHANDLER. Is there a written report in that case?

The PRESIDING OFFICER. The Chair is informed that there is.

Mr. FORAKER. Yes; there is a report with the bill.

Mr. CHANDLER. From what committee and made by what Senator?

Mr. FORAKER. Made by the Senator from Wyoming [Mr. WARREN], from the Committee on Claims.

Mr. CHANDLER. What is the date of the report?

Mr. FORAKER. January 17, 1900.

Mr. CHANDLER. Does the Senator know the amount involved?

Mr. FORAKER. One thousand one hundred and fifty-three dollars and fifty-six cents. It has twice passed the Senate, I believe, and has been favorably reported in both Houses.

Mr. CHANDLER. The Senator's information is so accurate that I will not ask to have the report read.

Mr. FORAKER. I am much obliged to the Senator.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House had passed a joint resolution (H. J. Res. 28) proposing an amendment to the Constitution providing for the election of Senators of the United States; in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills and joint resolutions:

A bill (S. 62) granting an increase of pension to Robert Black;
A bill (S. 208) granting an increase of pension to Josephine I. Offley;

A bill (S. 209) granting an increase of pension to Cornelia De Peyster Black;

A bill (S. 239) granting an increase of pension to Rhoda A. Foster;

A bill (S. 241) granting a pension to Patrick Layhee;

A bill (S. 261) granting an increase of pension to Lizzie H. Hyndman;

A bill (S. 320) granting an increase of pension to Allen Buckner;

A bill (S. 346) granting an increase of pension to Mrs. Arethusa Wright;

A bill (S. 531) granting a pension to Henrietta Cummins;

A bill (S. 645) granting an increase of pension to David Hunter;

A bill (S. 677) granting an increase of pension to Jerusha W. Sturgis;

A bill (S. 819) granting an increase of pension to Benjamin F. Bourne;

A bill (S. 833) granting an increase of pension to Henry Atkinson;

A bill (S. 994) granting an increase of pension to Casper Miller, jr.;

A bill (S. 1194) granting an increase of pension to John B. Ritzman;

A bill (S. 1228) granting an increase of pension to Thomas Jordan;

A bill (S. 1250) granting a pension to Hattie E. Redfield;

A bill (S. 1251) granting an increase of pension to Celia A. Jeffers;

A bill (S. 1255) granting an increase of pension to James M. Simeral;

A bill (S. 1264) granting an increase of pension to James A. Southard;

A bill (S. 1265) granting a pension to Elender Herring;

A bill (S. 1268) granting a pension to Sarah R. Burrell;

A bill (S. 1298) granting an increase of pension to Oscar Taylor;

A bill (S. 1309) granting an increase of pension to Herman Piel;

A bill (S. 1331) granting an increase of pension to Ellen C. Abbott;

A bill (S. 1419) granting an increase of pension to Annie B. Goodrich;

A bill (S. 1721) granting an increase of pension to Amos H. Goodnow;

A bill (S. 1729) granting an increase of pension to Oliver J. Lyon;

A bill (S. 1769) granting an increase of pension to Henry Frank;

A bill (S. 1960) granting an increase of pension to Eli J. March;

A bill (S. 2167) granting an increase of pension to Franklin C. Plantz;

A bill (S. 2209) granting an increase of pension to Frederick Higgins;

A bill (S. 2220) granting an increase of pension to Eudora S. Kelly;

A bill (S. 2351) granting an increase of pension to Joseph W. Skelton;

A bill (S. 2375) granting a pension to Mary A. Russell;

A bill (S. 2622) granting a pension to Maria A. Thompson;

A bill (S. 2636) granting an increase of pension to Mary E. Law;

A bill (S. 2742) restoring to the pension roll the name of Annie A. Gibson;

A bill (S. 3017) granting an increase of pension to Julia M. Edie;

A joint resolution (S. R. 34) authorizing the printing of 35,000 copies of Bulletin No. 24, Department of Agriculture, entitled "A Primer of Forestry," for the use of Congress and the Department of Agriculture; and

A joint resolution (S. R. 108) providing for the printing of the report of the governor of Arizona for 1899.

The message further announced that the House had agreed to the amendment of the Senate to the following bills:

A bill (H. R. 1201) granting a pension to James McNutt;

A bill (H. R. 2170) granting a pension to Angeline Eyestone;

A bill (H. R. 6527) granting an increase of pension to George Myers; and

A bill (H. R. 7264) granting a pension to Hannah C. Smith.

The message also announced that the House had passed a concurrent resolution to print 13,000 copies of Report No. 64, Department of Agriculture, entitled "Field Operations of the Division of Soils in 1899;" in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution to print 1,000 extra copies of the report of the Superintendent of Indian Schools for the year 1899; in which it requested the concurrence of the Senate.

The message also announced that the House had passed the concurrent resolution of the Senate relative to the acceptance of the statue of Oliver P. Morton, presented by the State of Indiana, to be placed in Statuary Hall.

The message further announced that the House had passed with an amendment the concurrent resolution of the Senate to print 5,000 copies of the report of Capt. W. R. Abercrombie on the Copper River exploration expedition to Alaska, etc.; in which it requested the concurrence of the Senate.

The message also announced that the House had passed the concurrent resolution of the Senate to print 2,500 additional copies of the annual report of the Commission to the Five Civilized Tribes for the fiscal year ending June 30, 1899.

The message further announced that the House had passed with amendments the concurrent resolution of the Senate to print 20,000 copies of the message of the President transmitting the treaty of peace with Spain, etc.; in which it requested the concurrence of the Senate.

The message also announced that the House had passed the concurrent resolution of the Senate to print 1,500 copies of the report of the United States Commission to the Philippine Islands.

The message further announced that the House had passed with amendments the concurrent resolution of the Senate to print 4,500 copies of the work entitled "The Louisiana Purchase;" in which it requested the concurrence of the Senate.

PRINTING OF TREATIES.

On motion of Mr. DAVIS, it was

Ordered, That Senate Document No. 160 of the present session, being the Hay-Pauncefote and Clayton-Bulwer treaties, be reprinted.

EXECUTIVE SESSION.

Mr. CARTER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 4 o'clock and 18 minutes p. m.) the Senate adjourned until Monday, April 16, 1900, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 14, 1900.

SURGEONS IN THE MARINE-HOSPITAL SERVICE.

Passed Asst. Surg. Thomas B. Perry, of Georgia, to be surgeon in the Marine-Hospital Service of the United States.

Passed Asst. Surg. Rell M. Woodward, of Indiana, to be surgeon in the Marine-Hospital Service of the United States.

Passed Asst. Surg. George T. Vaughan, of Virginia, to be surgeon in the Marine-Hospital Service of the United States.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 14, 1900.

APPOINTMENT IN THE MARINE CORPS.

Mr. John P. V. Gridley, a citizen of Pennsylvania, to be a second lieutenant in the United States Marine Corps, from the 26th day of March, 1900.

PROMOTIONS IN THE ARMY.

Corps of Engineers.

Capt. John Millis, Corps of Engineers, to be major, April 2, 1900.

First Lieut. Herbert Deakyne, Corps of Engineers, to be captain, April 2, 1900.

Second Lieut. Clarke S. Smith, Corps of Engineers, to be first lieutenant, April 2, 1900.

Artillery arm.

First Lieut. Isaac N. Lewis, Seventh Artillery, to be captain, April 5, 1900.

Second Lieut. Sam F. Bottoms, Sixth Artillery, to be first lieutenant, April 5, 1900.

Infantry arm.

Second Lieut. William K. McCue, First Infantry, to be first lieutenant, March 4, 1900.

APPOINTMENTS IN THE VOLUNTEER ARMY—SQUADRON PHILIPPINE CAVALRY.

To be major.

First Lieut. Matthew A. Batson, Fourth Cavalry, United States Army, April 3, 1900.

To be assistant surgeon with the rank of captain.

Maxwell S. Simpson, of New Jersey, acting assistant surgeon, United States Army, April 3, 1900.

To be captains.

First Lieut. Joseph C. Castner, Fourth Infantry, United States Army, April 3, 1900.

First Lieut. William C. Geiger, Fourteenth Infantry, United States Army, April 3, 1900.

Second Lieut. James N. Munro, Fourth Cavalry, United States Army, April 3, 1900.

First Lieut. Francis H. Cameron, jr., Thirty-fifth Infantry, United States Volunteers, April 3, 1900.

To be first lieutenants.

Second Lieut. David H. Biddle, Thirty-sixth Infantry, United States Volunteers, April 3, 1900.

Second Lieut. Dennis P. Quinlan, Eleventh Cavalry, United States Volunteers, April 3, 1900.

Corpl. James Conway, Troop L, Fourth Cavalry, United States Army, April 3, 1900.

Clarence C. Culver, of Nebraska, April 3, 1900.

POSTMASTERS.

Frank S. Kenyon, to be postmaster at Adams, in the county of Jefferson and State of New York.

Robert J. Buck, to be postmaster at Watertown, in the county of Jefferson and State of New York.

Charles P. Barnes, to be postmaster at Brighton, in the county of Monroe and State of New York.

HOUSE OF REPRESENTATIVES.

SATURDAY, April 14, 1900.

The House met at 12 o'clock m., and was called to order by the Clerk, Hon. ALEXANDER McDOWELL, who read the following communication:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, D. C., April 14, 1900.

To the House of Representatives:

I hereby designate Hon. JOHN DALZELL, of Pennsylvania, to perform the duties of the Chair during the day, Saturday, April 14, 1900.

D. B. HENDERSON, Speaker.

Mr. DALZELL then took the Chair as Speaker pro tempore.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

USE OF TIMBER AND STONE IN THE INDIAN TERRITORY.

Mr. JETT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10665) to provide for the use of timber and stone for domestic and industrial purposes in the Indian Territory.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent for the present consideration of a bill, which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to prescribe rules and regulations for the procurement of timber and stone for such domestic and industrial purposes, to be used only in the Indian Territory, as in his judgment he shall deem necessary and proper, from lands belonging to either of the Five Civilized Tribes of Indians, and to fix the rates of royalty to be paid therefor, and collect the same for the benefit of said tribes; and every person who unlawfully cuts, or aids, or is employed in unlawfully cutting, or wantonly destroys, or procures to be wantonly destroyed, any timber standing upon the land of either of said tribes, contrary to the regulations prescribed by the Secretary, shall pay a fine of not more than \$500, or be imprisoned not more than twelve months, or both, in the discretion of the court trying the same.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time, and it was accordingly read the third time, and passed.

On motion of Mr. JETT, a motion to reconsider the last vote was laid on the table.

On motion of Mr. JETT, the bill H. R. 5780, relating to the same subject, was ordered to lie on the table.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I desire to state, for the information of the House, that on Monday next I will call up the naval appropriation bill and ask for its consideration.

The SPEAKER pro tempore. The gentleman from Illinois gives notice that on Monday next he will call up for consideration the naval appropriation bill.

Mr. WHEELER of Kentucky. Before the gentleman states the arrangement for debate on that bill, I wish to say that I do not see the gentleman from New York [Mr. CUMMINGS], the ranking member of the committee on this side, in his seat, and I think it would be well enough for him to come in before that is stated.

Mr. FOSS. Very well; he can do that.

CORRECTION.

Mr. GROSVENOR. I desire to make a correction in the RECORD. On page 4137, the temporary Chairman, while the House was in Committee of the Whole, cited an authority. The full text of the authority, which is found on page 147 of Jefferson's Manual, is not given at length in the RECORD, and I will hand it to the Reporter to be printed as the full text of the authority cited by the Chair on yesterday.

The matter referred to is as follows:

It is equally an error to suppose that any member has a right, without a question put, to lay a book or paper on the table, and have it read, on suggesting that it contains matter infringing on the privileges of the House.—*Id.* For the same reason, a member has not a right to read a paper in his place, if it be objected to, without leave of the House. But this rigor is never exercised but where there is an intentional or gross abuse of the time and patience of the House.

A member has not a right even to read his own speech, committed to writing, without leave. This also is to prevent an abuse of time, and therefore is not refused but where that is intended.—2 Grey, 227.

PRIVATE PENSION BILLS PASSED.

Mr. SULLOWAY. Mr. Speaker, I call for the regular order.

The SPEAKER pro tempore. The regular order is the consideration of the pension bills on which the previous question was ordered on yesterday.

The following House bills, reported from the Committee of the Whole with amendments, were severally considered, the amendments recommended by the committee agreed to, and the bills as amended ordered to be engrossed, read a third time, and passed; and amendments to the titles agreed to on the bills on which the Committee of the Whole recommended that the titles be amended:

H. R. 1737. A bill to grant a pension to Cora I. Cromwell;

H. R. 1801. A bill granting a pension to Elijah Biddle;

H. R. 3655. A bill granting a pension to Mrs. Margaret Burns, as widow of Peter Burns, late of Company F, Twenty-third Regiment Illinois Volunteer Infantry, in the war of the rebellion;

H. R. 1943. A bill granting an increase of pension to Simon Price;

H. R. 8830. A bill granting an increase of pension to William F. Boyakin;

H. R. 3224. A bill granting a pension to Jeremiah B. Moore;

H. R. 4368. A bill for the relief of Flora B. Hinds;

H. R. 1381. A bill granting a pension to J. J. Angell;

H. R. 2331. A bill granting an increase of pension to Festus Dickinson;

H. R. 7624. A bill granting an increase of pension to Pleasant H. McBride;

H. R. 9574. A bill granting an increase of pension to Catherine Brown, widow of Frank Brown; and

H. R. 4520. A bill granting an increase of pension to George H. French, Company A, Forty-eighth Wisconsin Infantry.

SENATE BILLS WITH AMENDMENTS PASSED.

In the following bills the amendments reported by the Committee of the Whole were agreed to; and the bills as amended were ordered to a third reading, read the third time, and passed:

S. 2942. An act granting an increase of pension to William Padgett;

S. 1905. An act granting an increase of pension to Lillian Capron; and

S. 1903. An act granting an increase of pension to Agnes Capron.

SENATE BILLS PASSED.

The following Senate bills, reported from the Committee of the Whole, were ordered to a third reading, read the third time, and passed:

S. 1251. An act granting an increase of pension to Celia A. Jeffers;

S. 2375. An act granting a pension to Mary A. Russell;

S. 320. An act granting an increase of pension to Allen Buckner;

S. 2209. An act granting an increase of pension to Frederick Higgins;

S. 645. An act granting an increase of pension to David Hunter;

S. 1265. An act granting a pension to Elender Herring;

S. 1194. An act granting an increase of pension to John B. Ritzman;

- S. 994. An act granting an increase of pension to Casper Miller, jr.;
 S. 819. An act granting an increase of pension to Benjamin F. Bourne;
 S. 239. An act granting an increase of pension to Rhoda A. Foster;
 S. 1419. An act granting an increase of pension to Annie B. Goodrich;
 S. 2167. An act granting an increase of pension to Franklin C. Plantz;
 S. 62. An act granting an increase of pension to Robert Black;
 S. 241. An act granting a pension to Patrick Layhee;
 S. 1331. An act granting an increase of pension to Ellen C. Abbott;
 S. 209. An act granting an increase of pension to Cornelia de Peyster Black;
 S. 208. An act granting an increase of pension to Josephine I. Offley;
 S. 1729. An act granting an increase of pension to Oliver J. Lyon;
 S. 531. An act granting a pension to Henrietta Cummins;
 S. 1721. An act granting an increase of pension to Amos H. Goodnow;
 S. 2622. An act granting a pension to Maria A. Thompson;
 S. 1250. An act granting a pension to Hattie E. Redfield;
 S. 2320. An act granting an increase of pension to Eudora S. Kelly;
 S. 1309. An act granting an increase of pension to Herman Piel;
 S. 1960. An act granting an increase of pension to Eli J. March;
 S. 1298. An act granting an increase of pension to Oscar Taylor;
 S. 1268. An act granting a pension to Sarah R. Burrell;
 S. 346. An act granting an increase of pension to Mrs. Arethusa Wright;
 S. 1255. An act granting an increase of pension to James M. Simeral;
 S. 261. An act granting an increase of pension to Lizzie H. Hyndman;
 S. 1769. An act granting an increase of pension to Henry Frank;
 S. 1228. An act granting an increase of pension to Thomas Jordan;
 S. 2636. An act granting an increase of pension to Mary E. Law;
 S. 677. An act granting an increase of pension to Jerusha W. Sturgis;
 S. 883. An act granting an increase of pension to Henry Atkinson;
 S. 1264. An act granting an increase of pension to James A. Southard;
 S. 2742. An act restoring to the pension roll the name of Annie A. Gibson;
 S. 3017. An act granting an increase of pension to Julia M. Edie; and
 S. 2351. An act granting an increase of pension to Joseph W. Skelton.

On motion of Mr. SULLOWAY, a motion to reconsider the several votes by which the various bills had been passed was laid on the table.

HOUSE BILLS WITH SENATE AMENDMENTS.

The SPEAKER pro tempore laid before the House the following House bills with Senate amendments.

The Senate amendments were severally read, and, on motion of Mr. SULLOWAY, concurred in.

- A bill (H. R. 1201) granting a pension to James McNutt;
 A bill (H. R. 7264) granting a pension to Hannah C. Smith;
 A bill (H. R. 6527) granting an increase of pension to George Myers; and
 A bill (H. R. 2170) granting a pension to Angeline Eyestone.

FISH AND FISHERIES OF PORTO RICO.

Mr. HEATWOLE. Mr. Speaker, I am directed by the Committee on Printing to ask unanimous consent for the present consideration of the joint resolution H. J. Res. 198.

The Clerk read as follows:

Joint resolution (H. J. Res. 198) providing for the printing and distribution of the general report of the expedition of the steamer *Fishhawk* to Porto Rico, including the chapter relating to the fish and fisheries of Porto Rico, as contained in the Fish Commission Bulletin for 1900.

Resolved, etc., That there be printed and bound, under the direction of the Joint Committee on Printing, 15,000 copies of the general report of the expedition of the steamer *Fishhawk* to Porto Rico, including the chapter relating to the fish and fisheries of Porto Rico, as contained in the Fish Commission Bulletin for 1900; 9,000 for the use of the House, 3,000 for the use of the Senate, and 3,000 for the use of the United States Fish Commission.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota? [After a pause.] The Chair hears none.

Mr. UNDERWOOD. Reserving the right to object, I would like to ask the gentleman to give an explanation as to the amount of cost.

Mr. HEATWOLE. This work has reference to Porto Rican fish and fisheries. The work has not yet been completed, and the

definite cost can not be given. If the resolution is not passed now, the lithographic stones will be destroyed and the illustrations would have to be reproduced, at considerable additional cost.

Mr. UNDERWOOD. Do these books when published go to the folding room?

Mr. HEATWOLE. Yes.

The joint resolution was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

MESSAGE OF THE PRESIDENT TRANSMITTING THE TREATY OF PEACE WITH SPAIN.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to ask unanimous consent for the present consideration of Senate concurrent resolution No. 19. I think, however, it is a privileged report.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 20,000 copies of the message of the President transmitting the treaty of peace with Spain and the accompanying documents, in one volume, of which 13,000 copies shall be for the use of the House of Representatives and 7,000 copies for the use of the Senate.

The amendments recommended by the committee were read, as follows:

In line 2 of engrossed copy of resolution strike out the word "twenty" and insert "nine;" in line 6 strike out "thirteen" and insert "six;" and in line 7 strike out "seven" and insert "three."

So that it will read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 9,000 copies of the message of the President transmitting the treaty of peace with Spain and the accompanying documents, in one volume, of which 6,000 copies shall be for the use of the House of Representatives and 3,000 copies for the use of the Senate.

The amendments recommended by the committee were agreed to.

The concurrent resolution as amended was agreed to.

ANNUAL REPORT OF THE COMMISSION TO THE FIVE CIVILIZED TRIBES FOR 1899.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to ask unanimous consent for the present consideration of the Senate concurrent resolution 41.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 2,500 additional copies of the annual report of the Commission to the Five Civilized Tribes for the fiscal year ending June 30, 1899, of which 250 copies shall be for the use of the Senate, 500 copies for the use of the House of Representatives, and 1,750 copies for the use of the Commission to the Five Civilized Tribes.

Mr. UNDERWOOD. I would like to ask the gentleman from Minnesota what is the necessity for the additional number?

Mr. HEATWOLE. It is asked for by the Dawes Indian Commission, as well as by the Secretary of the Interior.

Mr. UNDERWOOD. How many of the original were there printed?

Mr. HEATWOLE. One thousand, I understand.

Mr. UNDERWOOD. This increases it to double the number, does it not?

Mr. HEATWOLE. This is an addition to the regular number printed of 250 copies for the use of the Senate, 500 copies for the use of the House, and 1,750 copies for the use of the commission.

Mr. UNDERWOOD. Is the report unanimous?

Mr. HEATWOLE. Yes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota? [After a pause.] The Chair hears none.

The question was taken; and the concurrent resolution was agreed to.

HEARINGS ON HOUSE BILL 3353.

Mr. HEATWOLE. Mr. Speaker, I am directed by the Committee on Printing to ask unanimous consent for the present consideration of House resolution 159.

The Clerk read as follows:

Resolved, That there be printed of the hearings had before the Committee on the Post-Office and Post-Roads on House bill 3353, including the text of the bill, 3,500 copies for the use of the House.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

Mr. HEATWOLE. Mr. Speaker, I will say that this is asked for by the Committee on Post-Offices and Post-Roads.

The resolution was agreed to.

A PRIMER OF FORESTRY.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to ask unanimous consent for the present consideration of Senate joint resolution 34.

The Clerk read as follows:

Joint resolution authorizing the printing of 35,000 copies of Bulletin No. 24, Department of Agriculture, entitled "A Primer of Forestry," for the use of Congress and the Department of Agriculture.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be printed 35,000 copies of Bulletin

24 of the Division of Forestry of the Department of Agriculture, entitled "A Primer of Forestry;" 5,000 copies for the use of the Senate, 10,000 copies for the use of the House of Representatives, and 20,000 copies for the use of the Department of Agriculture.

Mr. UNDERWOOD. I would like to ask the gentleman if these pamphlets go to the credit of members in the folding room?

Mr. HEATWOLE. I understand so. All these publications for the use of the House and Senate should go to the folding room.

The SPEAKER pro tempore. Is there objection to the present consideration? [After a pause.] The Chair hears none.

The resolution was ordered to be read a third time; and it was accordingly read the third time, and passed.

PRELIMINARY EXAMINATION OF RESERVOIR SITES IN WYOMING AND COLORADO.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to ask unanimous consent for the present consideration of Senate joint resolution No. 10, providing for the printing of 3,000 copies of House Document No. 141, relating to the preliminary examination of reservoir sites in Wyoming and Colorado.

The Clerk read as follows:

Resolved, etc., That there be printed for the use of the Senate and House of Representatives 3,000 copies of House of Representatives Document No. 141, Fifty-fifth Congress, second session, being "Preliminary examination of reservoir sites in Wyoming and Colorado," 1,500 copies for the use of the Senate and 1,500 copies for the use of the House of Representatives.

With the following amendment:

In line 7 strike out all after the word "one" and insert "thousand copies for the use of the Senate and 2,000 copies for the use of the House of Representatives."

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The amendment was agreed to.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

FIELD OPERATIONS OF THE DIVISION OF SOILS.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to ask unanimous consent for the present consideration of House concurrent resolution No. 31.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed from the stereotype plates now in the Government Printing Office an extra edition of ——— thousand copies of Report No. 64, of the Department of Agriculture entitled "Field Operations of the Division of Soils in 1899;" ——— thousand copies for distribution by Members and Delegates of the House of Representatives; ——— thousand copies for distribution by Senators, and 10,000 copies for distribution by the Secretary of Agriculture.

With the following amendments recommended by the committee:

In line 4, before the word "thousand," insert "thirteen."

In line 7, before the word "thousand," insert "two."

In line 8, before the word "thousand," insert "one."

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. FITZGERALD of Massachusetts. Mr. Speaker, I would like to know where the demand for the publication of these documents comes from. The House has been doing a great deal lately in the matter of furnishing additional documents for distribution to farmers, and I would like to know if this publication is of practical use to the farmer. I wish some explanation from the gentleman on this matter. I do not think the Government Printing Office ought to be turned into a bureau for the dissemination of literature to farmers unless the printing thus issued is of practical value.

The SPEAKER pro tempore. Does the gentleman from Massachusetts object?

Mr. FITZGERALD of Massachusetts. Reserving the right to object, I would like to ask the reason for this order and where the demand comes from for the distribution of these documents. I am in favor of every legitimate aid to the farmer, but I think it is due the House that the members should know the practical value of all documents printed and distributed at the expense of the Government.

Mr. HEATWOLE. I think, Mr. Speaker, it is proper that I should have the correspondence in relation to this matter read for the information of the House and the gentleman from Massachusetts.

The Clerk read as follows:

LETTER OF TRANSMITTAL. UNITED STATES DEPARTMENT OF AGRICULTURE, OFFICE OF THE SECRETARY, Washington, D. C., February 1, 1900.

Mr. PRESIDENT: I have the honor to transmit a report of this Department upon the field operations of the Division of Soils during the year 1899. It covers not only the most important work of this Division, but, in my opinion, regarded in the light of the possible results of the information which has been secured thereby, the most important work of this character ever undertaken in any country.

It consists of an introduction by Prof. Milton Whitney, the Chief of the Division, and special reports on the various lines of field work by the sci-

tific assistants of that Division in cooperation, in some instances, with educational institutions in various parts of the country. The report covers, altogether, a soil survey of an area of not less than 720,000 acres, scattered throughout the following regions: New Mexico, Utah, Colorado, and Connecticut. These accounts of soil surveys are followed by some valuable discussions on "The application of the theory of solutions to the study of soils," "Some necessary modifications in method of mechanical analysis as applied to alkali soils," and "Salts as influencing the rate of evaporation from soils."

It need hardly be said that it was found quite impossible to restrict this report within the limits of a hundred octavo pages, and consequently, under the operations of section 89, chapter 23, Volume XXVIII of the Statutes at Large, 1895, the Secretary of Agriculture has no authority to secure the printing of more than 1,000 copies, a number which would be entirely inadequate to supply our exchanges, our agricultural colleges and experiment stations, and the divisional list of the Division of Soils, to say nothing of any miscellaneous demand. In this case, moreover, the Department, in my opinion, is bound to supply copies of the report to the very large number of persons who have rendered efficient aid to our surveyors in their field work.

Under these circumstances and in view of the great importance of the subject covered, I have the honor to recommend that it be transmitted to Congress, together with the maps, illustrations, and diagrams accompanying, to be printed by order of that body, and I further recommend that not less than 10,000 copies be printed for the use of this Department, in addition to such number as Congress may order for the use of its members.

I have the honor to remain, Mr. President, very respectfully,
JAMES WILSON, Secretary.

UNITED STATES DEPARTMENT OF AGRICULTURE, DIVISION OF PUBLICATIONS, Washington, D. C., March 26, 1900.

DEAR SIR: We have received concurrent resolutions 31, 32, and 33, of the House of Representatives, all of which I see have been referred to your committee.

I inclose a copy of the letter of transmittal addressed by the Secretary to the President in forwarding the report covered by concurrent resolution 31. It will give you some information as to the importance of the subject covered and of the reason which impelled the Secretary to ask for 10,000 copies.

The reports covered by concurrent resolutions 32 and 33 are reports submitted in compliance with the law, and it has always been usual for Congress to print an extra number of copies of such reports for the use of this Department. You will notice that only 2,000 of each of these reports are asked for, the expense of which will be comparatively trifling.

In connection with this subject, may I be permitted to recall to your mind the fact that the Public Printer is earnestly desirous of an early passage of the resolution ordering 5,000 extra copies of the Yearbook for foreign use? Inasmuch as this edition will necessitate the preparation of another set of stereotype plates, the matter already set, of which there are now considerable over 400 pages, can not be distributed until the fate of that resolution is decided.

Yours, very truly,

GEO. WM. HILL.

HON. JOEL P. HEATWOLE, M. C.,
House of Representatives.

Mr. FITZGERALD of Massachusetts. Do I understand that the resolution offered by the gentleman from Minnesota just carries out the recommendations of the Secretary of Agriculture?

Mr. HEATWOLE. That is all.

Mr. FITZGERALD of Massachusetts. Then I have no objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the concurrent resolution? [After a pause.] The Chair hears none.

The amendments were agreed to.

The resolution as amended was agreed to.

REPORT OF THE GOVERNOR OF ARIZONA.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to ask unanimous consent for the present consideration of Senate joint resolution 109; providing for the printing of the Report of the Governor of Arizona for 1899.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Public Printer be, and he is hereby, authorized and directed to print 4,000 additional copies of the Report of the Governor of Arizona for 1899, of which 1,000 copies shall be for the use of the Department of the Interior, 1,500 copies for distribution by the governor of Arizona, 500 copies for the use of the Senate, and 1,000 copies for the use of the House of Representatives.

Mr. UNDERWOOD. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman what the necessity is for the additional copies of a report of a governor of a Territory for distribution?

Mr. HEATWOLE. I will answer the gentleman by reading an extract from a letter of the Secretary of the Interior.

Under existing law only 1,000 copies of this report can be printed by the Department, which number is found altogether too small to meet the demands made on this office for the work. The report gives very full information about all important matters relating to the Territory, and is therefore of great interest, especially to persons who contemplate moving to that section of the country. It serves as a reply to many inquiries as to the conditions in the Territory and the advantages afforded immigrants.

It is not only asked for by the Secretary of the Interior, but by the governor of Arizona, and the cost is not very great.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The joint resolution was ordered to be read the third time, was read the third time, and passed.

REPORT OF COMMISSION TO PHILIPPINE ISLANDS.

Mr. BOREING. I am directed by the Committee on Printing to report back with a favorable recommendation the resolution which I send to the desk. I ask for its immediate consideration.

The Clerk read as follows concurrent resolution No. 27:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the United States Commission to the Philippine Islands 1,500 copies of volume 1 of their report, recently submitted to the Senate by the President.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky [Mr. BOREING] that this resolution be immediately considered?

There was no objection.

The question being taken, the resolution was agreed to.

REPORT ON INDIAN SCHOOLS.

Mr. BOREING. I am also directed to report from the Committee on Printing another resolution, which I request may be read; and I ask unanimous consent for its present consideration. The Clerk read concurrent resolution No. 28, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Department of the Interior, 1,000 extra copies of the Report of the Superintendent of Indian Schools for the year 1899.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky that the resolution just read be immediately considered?

There was no objection.

The House proceeded to the consideration of the resolution; which was adopted.

ABERCROMBIE'S EXPLORATION OF ALASKA.

Mr. BOREING. I am further directed to report back with an amendment concurrent resolution 18, which I send to the desk; and I ask unanimous consent for its immediate consideration.

The resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 5,000 copies of the Report of Capt. W. R. Abercrombie on the Copper River Exploration Expedition to Alaska, transmitted by the Secretary of War, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 1,000 for the use of the House of Representatives, and 1,000 for distribution by the War Department.

The amendment reported by the committee was read, as follows:

Strike out all after the resolving words and insert:

"That there be printed 4,000 copies of the Report of Capt. W. R. Abercrombie on the Copper River Exploration Expedition to Alaska, transmitted by the Secretary of War, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 1,000 for distribution by the War Department."

There being no objection, the House proceeded to the consideration of the resolution.

The amendment was agreed to; and the resolution as amended was adopted.

HISTORY OF LOUISIANA PURCHASE.

Mr. BOREING. I am also directed by the Committee on Printing to report back favorably concurrent resolution of the Senate No. 36. I ask that the resolution be immediately considered.

The resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 4,500 copies of the work entitled "The Louisiana Purchase," by the honorable Commissioner of the General Land Office of the United States, 1,500 copies for the use of the Senate and 3,000 copies for the use of the House of Representatives.

The SPEAKER pro tempore. Is there objection to the present consideration of this resolution?

Mr. UNDERWOOD. What is this document proposed to be printed?

Mr. BOREING. This is a proposition to print a work entitled The Louisiana Purchase, by the Commissioner of the General Land Office. There is great demand for the document.

Mr. UNDERWOOD. Is this resolution reported by the Committee on Printing?

Mr. BOREING. It is a Senate concurrent resolution. It has been considered by the House Committee on Printing, who recommend that the House concur in it.

Mr. UNDERWOOD. Is it a unanimous report?

Mr. BOREING. Yes, sir.

Mr. HITT. Is not this an historic inquiry into the Northwestern region and its supposed relations to the Louisiana purchase?

Mr. BOREING. Yes, sir.

Mr. HITT. It is wholly devoted, I think, to the Oregon question. Mr. LACEY. It is intended to correct the supposed history of our acquisitions in the Northwest. Commissioner Hermann has made a very careful compilation covering the whole question.

Mr. UNDERWOOD. Is this a political report?

Mr. LACEY. Not at all; it is thoroughly historical.

Mr. BOREING. There is no politics in it.

There being no objection, the House proceeded to the consideration of the resolution.

Mr. JONES of Washington. I desire to offer the amendment which I send to the desk.

The Clerk read the amendment, as follows:

In lines 2 and 3 strike out "four thousand five hundred" and insert in lieu thereof "nine thousand."

In line 6 strike out "one thousand five hundred" and insert "three thousand."

In lines 7 and 8 strike out "three thousand" and insert "six thousand."

Mr. JONES of Washington. This is a matter in which there is a great deal of interest, especially among the people included in this section of country. The amendment which I offer is satisfactory to the committee, and I hope it will be agreed to by the House.

The amendment was agreed to; and the resolution as amended was adopted.

Mr. KNOX addressed the Chair.

The SPEAKER pro tempore. For what purpose does the gentleman from Massachusetts rise?

Mr. KNOX. Simply to make inquiry for information whether all these documents, the printing of which we are authorizing, will go to the folding room to the credit of members.

Mr. BOREING. That is my understanding; they all go to the folding room.

Mr. Speaker, I move to reconsider the several votes by which the resolutions I have reported have been adopted, and also move that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. HEATWOLE. I move to reconsider the votes by which the several resolutions reported by me from the Committee on Printing were adopted, and also move that the motion to reconsider be laid on the table.

The latter motion was agreed to.

COMMERCIAL AND INDUSTRIAL CONDITIONS—CHINA AND JAPAN.

Mr. LOVERING. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1939) authorizing the President of the United States to appoint a commission to study and make full report of the commercial and industrial conditions of China and Japan, and for other purposes.

The SPEAKER pro tempore. The bill will be read, subject to the right of objection.

The bill was read at length.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. UNDERWOOD. Mr. Speaker, I desire to inquire if there is not a special order set for to-day at 1 o'clock?

The SPEAKER pro tempore. There is.

Mr. UNDERWOOD. Then I demand the regular order.

The SPEAKER pro tempore. Objection is made.

RECEPTION OF STATUE OF OLIVER P. MORTON.

Mr. STEELE. Mr. Speaker, I call up the special order set for to-day at 1 o'clock.

The SPEAKER pro tempore. The Clerk will report the order of the House.

The Clerk read as follows:

SATURDAY, April 14.

On motion of Mr. STEELE, by unanimous consent, it was ordered that Saturday, April 14, beginning at 1 o'clock, be set apart for addresses on the receipt of the statue of Hon. Oliver P. Morton. (Order made March 24.)

Mr. MCCLEARY. Mr. Speaker, on behalf of the Committee on the Library, I desire to report back the concurrent resolution S. 37 with a favorable recommendation. The Committee on the Library, to whom was referred the resolution in question, has directed me to report it back with the recommendation that it do pass.

The SPEAKER pro tempore. The gentleman from Minnesota presents a resolution, which will be read.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That the statue of Oliver P. Morton presented by the State of Indiana, to be placed in Statuary Hall, is accepted in the name of the United States; and that the thanks of Congress be tendered the State for the contribution of the statue of one of the most eminent citizens and illustrious statesmen of the Republic.

Second. That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the governor of the State of Indiana.

Mr. STEELE. I call up for present consideration the resolutions which have just been read.

The SPEAKER pro tempore. The gentleman from Indiana.

Mr. STEELE. Mr. Speaker, in 1864, soon after the completion of the present Hall of the House of Representatives, a law was enacted by Congress which contained the following provision:

And the President is authorized to invite all the States to provide and furnish statues, in marble or bronze, not exceeding two in number for each State, of deceased persons who have been citizens thereof and illustrious for their historic renown or for distinguished civil or military services, such as each State may deem to be worthy of this national commemoration; and when so furnished the same shall be placed in the old Hall of the House of Representatives in the Capitol of the United States, which is set apart, or so much thereof as may be necessary, for the purpose herein indicated.

In compliance with this resolution we are about to accept, as a gift from the State of Indiana, a statue of her illustrious son, Oliver P. Morton.

Oliver P. Morton was born in the village of Salisbury, then the county seat of Wayne County, Ind., on August 4, 1823. He was of humble parentage, his father being a shoemaker. His mother died when he was but 14 years of age. He was then sent to live with his grandparents and aunts, and was afforded an opportunity to attend school one year. It is not recorded that he was considered brighter than his fellow-students, but he was already

distinguished by persistence. At the age of 15 he undertook to learn the hatters' trade, which he no doubt intended should be his life pursuit. At this work he remained for four years. During this period he spent much time in reading, and employing every means possible to acquire information. Quitting his trade, he entered Miami University, at Oxford, Ohio. Here he industriously improved his opportunities, not studying, apparently, toward any particular end, but always more anxious to acquire knowledge than to display it. This was throughout his life one of his characteristics. He was a favorite member of his college society at Miami University and stood well among his fellows.

For want of means he was compelled to relinquish his college work. Returning to Centerville, Ind., he entered the office of Hon. John S. Newman, one of the well-known lawyers of our State at that time, and began the study of law. This was in 1845. In May of that year he married Miss Lucinda M. Burbank. That this alliance was greatly to his advantage throughout his career there can be no doubt. In 1847 he was admitted to the bar of Wayne County, which included in its membership some of the most prominent attorneys of Indiana. It is not surprising, therefore, that he did not leap immediately into prominence. He soon became known, however, as one of the profound lawyers of the circuit in which he resided.

As an evidence of the esteem in which he was held, it may be mentioned that in 1852, at the age of 29 years, he was appointed by the governor of the State to a vacancy on the circuit bench. This honorable position he filled with credit to himself and to the entire satisfaction of members of the bar. At the expiration of one year's service he declined an election to the bench, the duties not being to his liking. In spite of the reputation he had achieved he was not too proud, upon leaving the bench, to enter law school for the purpose of completing an education interrupted by the poverty of his earlier years.

In 1856 the People's Party of Indiana, comprising those who were opposed to the further extension of slavery, met in State convention. Oliver P. Morton, who had identified himself with the movement, was unanimously nominated for governor. While it was apparent that he could not be elected, he entered upon the canvass with that energy and zeal which had characterized him ever since reaching the age of maturity. His opponent was Hon. Ashbel P. Willard, one of the strongest among Democratic leaders, a successful politician, and a fluent speaker. At this time Morton had his reputation as a speaker yet to make. It was not a difficult matter, therefore, to arrange a joint canvass between the candidates. It had not proceeded far until the friends of Morton were entirely satisfied with the arrangement.

As a debater Morton did not indulge in any attempts at sharp practice. He made legitimate points, and elucidated them with a power of direct statement which carried conviction. He ignored every attempt on the part of his opponent to divert the attention of the audience from the vital issues by ridicule and catch phrases. From the first day of the canvass Morton's followers increased in number, and when the campaign closed, although Morton was defeated, he had laid the foundation for the political organization which carried the State four years later.

The campaign over, Morton returned to the practice of his profession. During the four years which followed his power as an organizer was manifested in the rapid growth of the Republican party in Indiana. In 1860 Morton and his friends, deferring to the age and experience of Henry S. Lane, consented to Morton's nomination for lieutenant-governor, with Lane as the head of the ticket.

Morton threw his whole strength into the momentous campaign of 1860. He was at this time in the prime of his physical strength. His competitor was Hon. David Turpie, an unusually strong man, and, in accordance with custom, a joint debate was arranged between these gentlemen. Their meetings were attended by great crowds, and Morton again manifested his exceptional ability as a debater. Stephen A. Douglas had given the Democratic party its shibboleth of "State sovereignty." Morton attacked this as a catch phrase designed to cover a hateful doctrine, and proved by close logic that Congress, and Congress alone, had the constitutional power to make needful rules and regulations for the Territories.

In a speech at Fort Wayne he said:

The Territories are the property of the General Government, and the right to acquire them will not be disputed. Would the right to acquire, without the power to govern the thing acquired, be of any value? The right to govern, therefore, is an incident of the right to acquire. The Territories belong to all the people of the United States, and not to any particular part of them. They belong to them in their corporate, national, and governmental capacity. This being the case, how shall the people, the nation, express themselves or make manifest their wishes respecting their property, these Territories, excepting through Congress?

At the election the State was carried by the Republicans. Four days after Governor Lane was sworn in he was elected to the United States Senate, and Morton, assuming the governorship, took upon himself the heaviest responsibility devolving upon any man in the nation at that time, excepting only President Lincoln.

From the first he manifested the firmness and profound good sense necessary to the highest executive efficiency. He had attained a reputation as a lawyer and a politician, but while his friends had the fullest faith in his ability and integrity they had not anticipated that Morton would show a degree of executive ability in the crisis he was compelled to face which would stamp him as one of the great men of his time.

Governor Morton was among the first men of prominence in the Union, if not the first, to declare the position of the Republican party upon the question of secession, with which the result of the election of 1860 brought the country face to face. At a great ratification meeting held in Indianapolis on November 22, 1860, he declared in a memorable speech that "if the issue now before us was disunion or war," he was for war, and that he believed this was the position of the Republican party. "Grant the right of secession," he declared, "and the Union is dissolved." I will not stop to quote further from this great speech. It is enough to say that it was widely printed, and that it aroused the patriotic feeling of loyal people all over the North and brought Morton at once into national prominence as a patriot and a statesman.

He clearly foresaw the crisis which was approaching, and warned the people of Indiana and the country of its coming. After the inauguration of Mr. Lincoln he lost no time in visiting the President and holding a conference with him. Governor Morton was not surprised when, on April 12, 1861, the news was flashed over the country that Fort Sumter had been fired upon. On April 15 he telegraphed to the President offering 10,000 men for service in behalf of the Union. It was the first tender of volunteer troops which came to Abraham Lincoln. Under the leadership of Governor Morton, Indiana was one of the first States to put her soldiers in the field.

At this time there was less than \$15,000 in the State treasury, and after our first quota of troops had been supplied with inferior arms and equipments we were practically without arms, supplies, or munitions of any kind, yet on the 20th of April, foreseeing the future needs of the Government, Governor Morton telegraphed the Secretary of War, offering six additional regiments, which he had already begun to organize and equip. Receiving no reply, on April 23 he sent a special messenger to Washington to renew the offer. From that day until the close of the war there was not a time in which he was not urging an increase of our forces or that he was not organizing and equipping regiments in Indiana in anticipation of additional demands. During the war Indiana sent over 208,000 soldiers to the front, a larger per capita representation in the field, it is said, than that of any other Northern State.

The legislature elected in 1862 refused to come to his assistance; on the contrary, sought in every way to embarrass him. His message to the legislature, which was considered one of the strongest ever submitted by a State executive, was treated with contempt, that body refusing to receive it. This legislature refused to provide the funds necessary for carrying on the great work of organizing and equipping troops. Morton was undaunted. A great sum of money was borrowed on his own personal account, individuals and counties all over the State advancing funds to meet the emergency.

Thus was the confidence of the people in Morton's integrity exemplified. That confidence was not misplaced. Every dollar passing through his hands, directly or indirectly, was satisfactorily accounted for. The best of everything that money could buy was furnished to our soldiers. In the estimation of Governor Morton, nothing was too good for the men who were fighting the battles of the Union. No man could have discharged his duty with greater courage, more untiring industry, or more lofty patriotism. In spite of the great responsibilities which weighed upon him at home, he found time to visit the Union armies, for the purpose of seeing for himself that Indiana soldiers were in no wise neglected. He was a familiar figure in camp, hospital, and field, wherever Indiana soldiers were to be found. He was frequently called to Washington for consultation with the President and Secretary of War.

At this time he was embarrassed at home by an unfriendly minority which opposed the prosecution of the war. There existed in Indiana an oath-bound conspiracy, which sought the establishment of a Northwest confederacy, the release of Confederate prisoners in Northern prisons, the overthrow of the State government by force, and even the assassination of Governor Morton. Its members were organized and drilled, and sought every opportunity to discourage enlistment and to encourage desertions from the Union ranks. I refer to this only for the purpose of showing the desperate situation Governor Morton was compelled to face. He thwarted the purposes of this organization by courage and vigilance. As we look back over those troublous times, it is with a feeling of gratitude that we had at the helm of state a man so strong and so resourceful.

It is not strange that Oliver P. Morton became known throughout the Union as "Indiana's great war governor." His readiness to supply troops for the protection of Kentucky from invasion gained for him the admiration of the people of that State.

George D. Prentice, the talented editor of the Louisville Journal, said of him:

He has been emphatically Kentucky's guardian spirit from the very commencement of the dangers that threatened her existence. Kentucky and the whole country owe him a large debt of gratitude. Oh, that all the public functionaries of the country were as vigilant, as clear-sighted, as energetic, as fearless, as chivalrous as he.

Mr. Charles Walker, author of an admirable sketch of The Life, Character, and Public Services of Oliver P. Morton, has well said that—

His heart was as full of sympathy as his head was of resources.

And that—

In every sense of the word he was the soldier's friend.

It is fair to the soldiers of Indiana that I should say that they thoroughly appreciated his watchful care and attention and that on every field of battle during that unhappy conflict they gave a good account of themselves. In the language of James A. Garfield—

On a hundred battlefields his name was the battle cry of the noble regiments he had organized and inspired with his own lofty spirit.

In 1864, at the age of 41, Morton was reelected governor, defeating Joseph E. McDonald, a strong and able man, who was not a sympathizer with the rebellion. Shortly after his election Morton's friends were alarmed by the first premonitions of the great physical affliction which afterwards overtook him, and one morning in the latter part of the summer of 1865 he awoke to find his lower limbs paralyzed. The best medical advice and treatment was sought and applied, but with no avail. In further search of relief he decided to visit Europe. Before his departure Hon. Joseph E. McDonald, his late competitor, and Hon. Samuel Buskirk, also a leading Democrat, introduced in the legislature then sitting resolutions commending Morton for his ability and integrity, which were passed without a dissenting vote.

In March, 1866, he returned from Europe, his condition unimproved. In that year a State legislature was to be elected, upon which devolved the duty of choosing a United States Senator. By the Republicans of Indiana it was taken by common consent that in case of Republican success Morton should be chosen. Notwithstanding his affliction, he made a thorough canvass of the State. His mental vigor seemed to have increased. The campaign was a memorable one, the Republicans were successful, and Morton was elected Senator by the unanimous vote of the Republican members of the general assembly.

On the 4th of March, 1867, he took his seat as Senator in a body numbering among its members many men distinguished for eminent public service and for unusual ability. It is sufficient to say that Morton was soon recognized as a leader among the great leaders of that body, which had to deal with the troublesome question of the reconstruction and rehabilitation of the Union. In spite of the bitterness of the conflict from which the country had just emerged, and in which Morton was a favorite target for assault, he brought to this work a spirit of kindness toward the South. In one of his speeches he said:

I am, from my heart, anxious for the complete restoration of the South, the upbuilding of her prosperity, and the reunion of all the States in sentiments of love for each other and devotion to our common country.

Senator Morton was a potent factor in the framing of the important legislation enacted during the period of his Congressional service. In spite of his great physical infirmity he was untiring in his industry and followed the subjects of legislation which came before Congress with sleepless vigilance. As a member of the Committee on Foreign Relations he was largely instrumental in bringing about the treaty with Great Britain under which the Alabama award was made. As an evidence of the esteem in which he was held by General Grant, it may be stated that he was tendered the British mission. The appointment was approved by the Republican press of the country and was a source of special pride to the people of Indiana, although they preferred that Morton should decline the appointment.

During the whole of General Grant's Administration he was the close friend and counselor of the President. In the Republican national convention of 1876 he was put forward by the Indiana delegation as a candidate for the Presidential nomination. It was readily seconded by many delegates from other States, notwithstanding his physical infirmities, except for which there was a general feeling that he might have been nominated.

He was a central figure in the complications which followed the disputed election of 1876. He opposed the authorization of the Electoral Commission, but upon its creation he was made a member of the body and carried to that work the same vigilant industry which had characterized his whole career.

With the completion of the work of that commission Senator Morton's connection with public life practically ceased. In the summer of 1877 he made a trip to the Pacific coast, where another attack of that dreadful malady, paralysis, overtook him. He insisted on starting home at once. He was depressed but patient during the long return trip. After reaching Indiana he lived for some weeks, during which time the President of the United States journeyed to his bedside to express his sympathy and hope for his

recovery. But it was a struggle in which even the physical and moral strength of Morton could not conquer. On November 1, 1877, he died, his last words being, "I am dying; I am worn out."

He was at the time of his death but 54 years of age. Indiana lost in him her most eminent statesman, the country one of its wisest counselors, and the Republican party of our State its greatest leader. None has arisen to fully fill his place.

It is a source of satisfaction to the people of our State, especially to those of us who were more or less on the active stage of life during the troublous period in which Morton achieved his fame, to be able to record that twenty years after the death of Governor Morton the general assembly of the State of Indiana, composed for the most part of men who were unborn when the war of the rebellion was begun and who were but lads when Morton died, passed a resolution authorizing the governor of the State to appoint a commission to procure a statue of Indiana's great war governor, to be placed in Statuary Hall, thus recognizing him as a man "illustrious for his historic renown, for distinguished service to the State," and as "most worthy of national commemoration."

As citizens of Indiana, we are proud to know that through the years to come the statue of Oliver P. Morton will stand in that great hall among those of the illustrious men of other States, an evidence of our supreme appreciation of his great and glorious service to the State and nation.

He was a courageous patriot, a loyal friend, an honest man. [Applause.]

Mr. MIERS of Indiana. Mr. Speaker, as a representative of the State of Indiana, I take pleasure in adding my voice to those raised in reverential commemoration of the man whom my State has by honoring honored herself and the nation of which she is a part. The voiceless marble now placed in Statuary Hall will honor that sculptured room as did the living being whose form is thus preserved honor the upper house of the National Legislature.

Oliver Perry Morton was one of those men whose conditions and environment gave the strength which makes them great, and renders time necessary to bring out their truly admirable qualities without the view being marred by personal or sectional hatred. Oliver Perry Morton was a great man when living, but even a greater man when viewed by the historian. His was a life of turmoil and conflict; his mind rose superior to the ravages of disease and the irritation of constant and excruciating pain. Severe lines were drawn in his face by the pain he suffered, and men, looking only at the face, thought him austere. Those who really knew the man, and not merely his outward semblance, loved him. His heart was as big as his brain, and few, if any, men have been blessed with greater intellects.

His life was gentle, and the elements
So mix'd in him, that Nature might stand up
And say to all the world, "This was a man."

Oliver Perry Morton came of old New England stock, his ancestors emigrating to this country with Roger Williams. His father was one of the hardy pioneers who opened up the fertile prairies of the West. At the little town of Salisbury, Wayne County, Ind., Oliver Perry Morton was born on the 4th of August, 1823. At an early age he was apprenticed to his brother to learn the hatter's trade. After learning the trade he studied law, and so prominent was his legal acumen and his forensic ability that at the age of 29 years he was placed upon the circuit bench, and there his decisions were marked with such a thorough grasp of law and such a sense of exact and clear justice that he became at once a prominent figure in the councils of his State.

He was elected lieutenant-governor of Indiana in 1860, and upon the elevation of Governor Henry S. Lane to the United States Senate Oliver Perry Morton, at the age of 38 years, became governor of the State of Indiana. He was elected to this office in 1864, and resigned to accept the position of United States Senator in 1867, which position he filled twelve years. In 1876 he received the second largest vote as a candidate for the Presidential nomination at the hands of the Republican party. It was as the "war governor" of Indiana that he won the admiration of the entire nation. He was essentially an executive.

An eye like Mars, to threaten and command;
A station like the herald Mercury
New-lighted on a heaven-kissing hill—
A combination and a form indeed,
Where every god did seem to set his seal,
To give the world assurance of a man.

He worked day and night, and kept peace within the borders of his State when it seemed impossible that there could be peace. When he was stricken with paralysis, the entire nation mourned. It was supposed that never again could his voice be heard in counsel; but while he could no longer walk, or even stand, and although every moment brought intense pain, for eleven years the great mind arose superior to the wrecked body, and until the day of his death Oliver Perry Morton did a prodigious work in the United States Senate and throughout the State of Indiana in personally caring for the interests of his constituents. He at times seemed merciless toward the Southern States—the friends of Sumner

thought him unkind—but Oliver Perry Morton always intended to be just.

No friend ever went to him and found an ear deaf or a heart closed to his appeals. He was strong in his convictions, but when convinced that he was wrong he always acknowledged it and proceeded to repair the wrong. His life was one of constant criticism and censure; he made strong friends and bitter enemies.

He arose superior to all strife—

Like some tall cliff that lifts its awful face,
Swells from the vale, and midway leaves the scene,
Though round its breast the rolling clouds are spread,
Eternal sunshine settles on its head.

Now that sectional hatred has died away and the bitter prejudice born of the conditions of the sixties are no longer felt, we can look back upon the life and record of Oliver Perry Morton, and while we regret that the conditions of his time made him violent in some of his methods, yet we can see clearly, as could not be seen in those dark days, that when Oliver Perry Morton's soul left the body which had so long been an incumbrance to it that one of the best and greatest men had passed from the visible present to the invisible future.

His services to his State and his nation will live forever in history, while the enmities which he engendered have already been buried.

Indiana, in placing this statue in the halls of the National Capitol, honors herself and honors the nation rather than Oliver Perry Morton, for his memory will live without the aid of sculptor's chisel. Could Oliver Perry Morton, free from pain, have lived his allotted three score years and ten, no one can tell what the nation would have profited by his counsels.

Why this great man should have been so hampered by physical infirmity and his brain racked by intense pain is one of those mysterious problems which men can not solve. Oliver Perry Morton is dead, but—

Death is another life. We bow our heads
At going out, we think, and enter straight
Another golden chamber of the King's,
Larger than this we leave and lovelier,
And then, in shadowy glimpses disconnect,
The story, flower-like, closes thus its leaves.

[Applause.]

Mr. GROSVENOR. Mr. Speaker, I shall not attempt to speak upon the character and personal characteristics of Oliver P. Morton. My presence here on this occasion is due to a fact which I will state, and which I presume no other man in the capital at Washington can state. I refer to my acquaintance with Mr. Morton and an incident of the early days of the party in Indiana.

Oliver P. Morton was a Democrat, as I was. He was born ten years before I was, but had I voted in 1853 I should have voted the Democratic ticket. As I was not old enough to vote until 1854, I began with the Republican party.

In the spring of 1854 I went to Indiana and settled at Lafayette, intending to make it my home; so that under the statute of that State I was entitled to vote at the end of six months. I went to Indiana a Democratic boy; but without going into any considerable detail it is enough to say a complete revolution in the public sentiment of this country took place at about that period of time.

Those of us who had hoped the better judgment of the Democratic party would prevail over the proslavery tendencies of the party were disappointed. The action of the Democratic Administration in the matter of the contest in Kansas and Nebraska between freedom and slavery disappointed us; and so it happened that a great political revolution took place, and it swept over Indiana in that year. The breaking up of the Whig party and the natural antagonism to the Democratic party had produced a number of political organizations; among others, a strong Temperance party and also the Know-nothing party; and then the opposition to the attitude of the Democratic party in Congress upon the subject of the Kansas and Nebraska difficulties took the form, not only in Indiana but in other States, of an anti-Lecompton or anti-Nebraska party—a coming together of all shades and forms of opinions.

Morton was a Democrat, as I said, and his attitude at that time was a matter of speculation in Indiana. On the 13th of July, 1854, I went with a great concourse of people to a mass convention of all the elements in opposition to the then regular Democratic party. It was held at Indianapolis. It was presided over by Bishop Ames, of the Methodist Church, and as we are recording history, it might be well for me to give the reason why he appeared on that occasion and presided in that convention.

An attack had been made upon the Methodist preachers of Indiana by the then United States marshal, and among other epithets that he applied to them he called them "itinerating vagabonds." That aroused the sentiment of the Methodist Church, and there came to Indianapolis a great host of Methodist preachers, Methodists, and all sorts of people; and in order to emphasize the positions of things Bishop Ames was called upon to preside, and made a speech. I remember it as though it were but yesterday. It was strong, eloquent, and full of the fire of the old-time Methodist preacher.

It was in that convention, of which I was a member, that Oliver P. Morton first publicly made known his retirement from the Democratic party and his entry into the party in opposition. The Democrats in that day called the opposition party the Abolition, Free Soil, Maine Law, Native American, Anti-Catholic, Anti-Nebraska party of Indiana. I copied this name from a history of Mr. Morton himself, and nearly all of those names are very familiar to me, because we heard them in the course of the campaign very often. They were repeated with variations.

That was the break that Morton made, and he followed it up, and there was this characteristic of him: Indiana at that time had an October election, as Ohio did, and within a very few days following the October election he began a campaign, and made a great speech in the city of Indianapolis in the latter part of October immediately following. He entered upon a war against the proslavery tendencies of the Democratic party, and he never ceased his battle. Defeat did not dismay him.

I was not personally familiar with him afterwards. I met him several times during one of the great campaigns in Indiana, and had the honor of speaking with him at two or three places about 1872. I considered him the most available, the most powerful, and the most effective stump orator in the United States. He was not a man of great eloquence, but he was a man who had the power of statement beyond almost any man that I ever heard speak. I saw him last in 1876 and 1877, and heard him last as he made a speech from the balcony of the Ebbitt House, in this city, when, in a rapid and wonderfully powerful speech, he reviewed the whole of the troubles about the electoral count; and he stood there, as he always did stand forth, as the greatest leader and the greatest exponent of the principles of his party that we had in the United States. This was after the Electoral Commission had decided for Hayes. I believe that it was Morton who gave more shape and more potentiality to the principles of the Republican party in its formative days and in its days of triumph than any other man in the United States. [Applause.]

Mr. OVERSTREET. Mr. Speaker, the characters of truly great men suffer no more by being viewed from a distance than the beauty of a mountain when observed from a point which fails to disclose the smaller hills. Oliver Perry Morton was truly a great man, and throughout all time will be known as the idol of the Indiana soldiery, the trusted friend of Lincoln, and an essential part of the forces which constituted the support of the Government in the time of its greatest peril and the formative period, in which was shaped and established the policies of the reunited States. Whatever traits of character he may have possessed which commended him in the lesser walks of life, and received the approval of admiring friends who came in close contact with his everyday affairs, will be lost sight of in contemplating the larger and more prominent characteristics, which brought him into bold relief at a time when great events stirred the nation and strong men trembled under the burden of their responsibilities.

Left motherless at 4 years of age, he was deprived of those earlier influences which can spring only from a mother's care. Unfavored by either wealth, position, or name, he was to battle single-handed and alone with those obstacles which always press upon him who is educated in the school of adversity. Inheriting strong traits of mind from his English ancestry, he devoted himself to study with a persistency, courage, and patience which never wavered under his indomitable will. The discipline of both body and mind, occasioned by his necessities, became in after years the bulwark of his nature. He who succeeds in the school of adversity learns confidence and self-respect, which always prove great aids in contests where principles are involved. His education for and early practice in the law, while followed but a brief time, yet served to strengthen his powers of logic and debate, which proved so valuable to him in his efforts in the Senate of the United States, where, from his entrance until the close of his service, he ranked as the foremost debater and one to be reckoned with in all of the discussions which grew out of the great questions that then commanded the attention of Congress.

In some mysterious way, which has always been the subject of controversy and never satisfactorily settled, men seem to come forth on every great occasion peculiarly fitted and equipped for special services which are essential to success within the time in which they live. The war of the rebellion brought forth Oliver P. Morton and developed his opportunity. It is as the great war governor that he is best known and loved. Speculation as to how successfully he might have filled different positions, either civil or military, in the period in which he lived would be interesting, because his was a nature which seemed to possess those traits which might have shown equally brilliant in battle or powerful in peace.

He seemed to possess the patient persistency of Cromwell and the indomitable loyalty to principle which moved Martin Luther. His constant vigil, complete grasp of detail, incessant investigation of the actions of his enemies developed a courage which was certainly possessed in no higher degree by any general who faced the cannon of the rebellion. He who could with intrepid spirit

and undaunted and unwavering courage thwart the insidious attacks of the Knights of the Golden Circle investing his own State and, under cover of darkness and deceit, intriguing against a Commonwealth whose honor and good name he was upholding would have commanded with credit at the Bloody Angle or with bravery have repelled the charge of Pickett at Gettysburg. His methods strongly portrayed military characteristics.

As an organizer Morton was unequalled. Anticipating the wants of the Government, he acted with a promptness which inspired confidence, and became an example to stimulate tardy spirits in other States. The quick responses with which he met the calls of the President soon made him one of the President's councilors, and he thereby became one of the men who shaped the policies of the nation. The completeness of his conduct in following the troops of his State after their enlistment, and administering to their wants when stricken in the field, made permanent his place in their hearts and added glory and renown to the State he served. Where opportunity afforded, and especially in the earlier part of the war, he made personal visits to the fields of battle where Indiana regiments had met with losses. At all times his volunteer force of physicians afforded quick and effective relief to the soldiers of his State, who, inspired by his conduct and patriotism, had poured out their blood upon Southern fields.

The promptness and universal practice of sending aid and equipment to the soldiers in the field established affection and confidence, not only among the soldiers of our State, but builded for Morton a reputation among all the soldiers who observed this treatment, which, in my judgment, is one of the most valuable and beautiful elements of a character which seems so full of grandeur. I remember having been told by one of the volunteer physicians sent into the field by Morton that, passing through the hospital among the wounded soldiers in search of those of Indiana regiments who had suffered injuries, he overheard a wounded soldier of another State whisper to a comrade in equal distress, "There goes one of Morton's men, caring for the Indiana boys."

Through this practice of humanity, spreading his kindly and generous spirit over the battlefields bathed with the blood of the soldiery of his State, he broadened the scope of his influence and inspired hearts from other States which beat in unison with those of the men his agents sought to succor. The kindness of his character manifested in such action, the unselfishness of his disposition in the consideration of the needs of others, and the honesty of his purpose in rendering every possible aid to all who were laboring for the same cause constituted the strength of his nature.

Morton brought to bear upon the great purposes, the accomplishment of which even Lincoln did not more greatly cherish, every faculty and fiber of his nature, and yielded to the duty every element of his strength. His opportunity for good was increased by reason of the division of sentiment in his own State. The greater the opportunity, the greater the success, and Morton's success was quite commensurate with his opportunity.

"Grit is the grain of character. It may generally be described as heroism materialized—spirit and will thrust into heart, brain, and backbone, so as to form part of the physical substance of the man." The writer of that truth might well have had Oliver P. Morton in mind.

It is rarely given to one to demonstrate great strength and success in more than one field. Yet the success with which Morton managed the affairs of state while governor of Indiana, organized, equipped, and cared for more than 200,000 soldiers in the field, seems little greater than the success which he met as a Senator from that great State during the period immediately following the war, within which the great questions of reconstruction and the establishment of policies growing out of the war were considered and determined. He brought to bear upon those great questions the same spirit of loyalty, candid expression, sound logic, and courageous conduct that characterized his actions during the war.

Through all of the period from the time he took his courageous stand for the Union and assumed the charge of affairs of his native State until his untimely death he was the recognized and accepted leader of his party in the State, the successful champion of the principles which dominated his party in the nation, and one of the few men who were always to be considered in the framing of policies which affected the perpetuity of the Government. Time has cast no cloud upon his memory nor darkened a single spot upon his record. History will ever record him as one of the great men of the nation, possessing a character which has appeared in every movement for the formation of States or in the preservation of the true and essential principles of government. Linking his destiny with that of the Union, he became the rivet which made secure the position of his State, and has earned in full measure the honor his State to-day accords him. [Applause.]

Mr. GRIFFITH. Mr. Speaker, without any reference to the issues of party politics, either present or past, I desire to take an humble part in these proceedings.

When I was a young man, taking my first lessons in politics, the

leader of the opposing party in my State was Oliver Perry Morton. During his lifetime he was most ardently admired by those of his own political faith and greatly feared by men of opposing views. While he was a man who had strong friends, there was probably no man in the United States who provoked more bitter criticism than did Oliver P. Morton. The opposition came not only from without his party, but also from within it. The mind of Oliver P. Morton, while not at all times great enough to rise above all prejudice, was yet so great that he could stand practically alone in his own party upon the monetary question and yet continue to be the acknowledged leader of that party.

Oliver P. Morton while living was, in a sense, a disturbing element as well as a quieting one. His mind was never in repose, and it was impossible for his contemporaries to view him calmly and dispassionately. He was a man of strong likes and dislikes. He was either overloved or overdisliked. He had strong friends and bitter enemies. He has now been dead for a little more than twenty years, and he is now known as he was never known during his active, turbulent life. Looking back through the shadows of the years that have gone, Republicans and Democrats alike can see the real character of the man, and there are no longer any diverse opinions as to the manner of man he was. We trace him back to his early ancestor, Roger Williams, and we find that he inherited an indomitable will, a force of intellect, and a bravery which nothing could deter. He was a born leader, and in whatever sphere of action he moved he molded both thought and action.

We find him among the quiet Quakers of Wayne County as a boy, and we find that the records of the church show that he was a leader there; he was a leader among the young men when he worked upon a hatter's bench as an apprentice. When not yet 30 years of age he was one of the leading jurists of his State. His course as governor of Indiana during the civil war was one of the most interesting features of the history of our country during that period, and he and Governor Curtin, of Pennsylvania, were recognized as the great war governors.

At the close of the civil war, when a stroke of paralysis completely wrecked his physical being, it was supposed, even by his friends, that his public work was done. It had in reality but commenced. The eleven years of life which his strong will power wrested from the grasp of death were eleven years of constant work and increasing activity. Wheeled from place to place, in the Senate of the United States, in national conventions, in public halls throughout the country, Oliver P. Morton held the people as few men have ever held them. And in his wrecked physical condition, with death seeming ever near, he came within a few votes of being nominated for the Presidency by the Republican party.

Mr. Speaker, old prejudices are forgotten. The sound of hasty words has died away. We can view Oliver P. Morton as he really was, and Democrats can unite with Republicans to-day in doing homage to that iron will and great intellect which assisted to restore order out of chaos in Indiana, and assisted in guiding the ship of state safely through the most stormy waters it ever encountered.

Mr. Speaker, I am glad, as a member of the Democratic party, proud of its history and loving its principles, to stand upon this floor as a Representative from the State of Indiana and testify to the love which the people of my State bear for the memory of the man whom they have selected as worthy of a place in Statuary Hall.

Indiana is entitled to thus honor but two of her sons.

Indiana has been prolific in great men. She has produced men who have occupied higher positions than did Oliver P. Morton. She has produced great authors, great jurists, great warriors, and great statesmen; and it is no idle compliment for me to say that the record of Oliver P. Morton justified his State in thus honoring his memory.

Oliver P. Morton and Thomas A. Hendricks were contemporaries. While Morton was always aggressive and forceful, Hendricks was equally effective by reason of being conservative and persuasive.

When the statue of Hendricks is placed alongside that of Morton the citizens of Indiana will have honored two favorite sons that in their day typified the highest character of American citizenship, and by whose efforts the growth and development of our State was such that Indiana to-day honors herself by these exercises. [Applause.]

Mr. HEMENWAY. Mr. Speaker, the State of Indiana offers to the United States of America a tribute to her most admired son. She wishes that in sculptured marble a form of Oliver Perry Morton shall remain in Statuary Hall in order that it may prove an inspiration to all succeeding generations for truth, patriotism, and force of character. The man whom Indiana thus delights to honor was probably the most feared and the most admired man of his time. A staunch Democrat up to the time that the question of slavery shook this nation from center to circumference, he became one of the early leaders of the Republican party and can be truthfully termed one of its founders.

He was a natural leader. During his boyhood, in the little town of Salisbury, Ind., when working as a hatter's apprentice; and, when not yet 30 years of age, on the circuit bench, and in every other department of life, he showed himself a master. When the elevation of Henry S. Lane to the United States Senate caused Oliver Perry Morton, then lieutenant-governor, to become governor of the State of Indiana, he found that State in the throes of insurrection which threatened to bring about its dissolution. Strong men discussed the situation in every county in the State, and none could suggest a solution of the problem which confronted him.

At the popular election the people did not indorse the administration. The legislature was about to overturn the State government. The Republican members of the legislature withdrew, leaving that body without a quorum. The legislature dispersed and was not called together again. The supreme court of the State refused to uphold the governor. Without a legislature, without any appropriations, without funds with which to carry on the State government, and with the courts opposed to him, Oliver Perry Morton undertook to raise troops for the National Government and to restore peace and quiet at home. This caused a plot for his assassination. The governor had arrested the leaders of the plot, some of them of great power and prominence, and he was not assassinated.

Viewed from our standpoint nearly forty years after this condition of affairs has happily ceased, it seems almost impossible for any man to have successfully contended against the difficulties which surrounded Oliver Perry Morton during those four years as governor of Indiana. At that time he did not have a friend who believed that he could succeed. He practically never slept. So intense was the strain that after it was over and there was once more peace the great war governor of Indiana was stricken with paralysis, which left him a physical wreck. Notwithstanding the pain he suffered, his mind rose so superior to his body that, hopeless cripple though he was, he was elected to the United States Senate and was there the leader of his party. He was a member of the Electoral Commission, and he had received the second largest vote for the Presidential nomination in the Republican convention of 1876.

After the war was over it may seem to the student of history that Governor Morton was somewhat severe in his dealings with the Southern States. But whether that be true or not, it is certain that those four years, when he had the entire responsibility of the executive, the legislative, and the judicial departments of the State government of Indiana, he must have suffered so much that he could not well be otherwise than extreme in his views.

He lived in times of turmoil and was never allowed to rest. He was loved by many, he was feared by many, he was respected by all. Now that the questions which divided the nation are happily settled and the bitterness has all passed away, we can look upon the character of Oliver P. Morton calmly and dispassionately. I believe that I but voice the conviction of every man that Oliver P. Morton was the greatest executive that any State of the Union ever placed in the gubernatorial chair. His mind was strong, his will power absolutely inflexible. He had no weaknesses which affected his intellect. Those who were most violent in their opposition to the man when he was living are among the most ardent in their admiration of his character as viewed in the light of memory.

His statue placed in Statuary Hall will teach the youth of America to be true, to be strong, and to be patriotic.

His counsels were not heeded by the majority of the people of Indiana when he was their governor. They refused to sustain his administration at the polls. And yet if a list of fifty of Indiana's gifted sons should be presented to the people of Indiana to-day from which to make a choice as to whose memory to honor in Statuary Hall, I believe that the name of Oliver P. Morton would lead all the rest.

I do not believe there is a citizen of Indiana who is not proud that the statue of the great war governor is placed in the National Capitol. I believe that those whom he fought so earnestly—and it may be said at times so severely—unite with us to-day in admiration of the man who, single-handed and alone, could conduct the entire affairs of the State under the circumstances which attended his administration from 1861 to 1865.

Mr. Speaker, in the name of the State of Indiana I unite my voice with the voices of my colleagues in presenting the statue of her greatest son to perpetuate his memory in the Capitol of the United States, where his living presence once exerted so powerful an influence. [Applause.]

Mr. BRICK. Mr. Speaker, a great State, renowned in him, to-day answers to the call of the United States, and presents to the whole country he served so well, the statue of Oliver P. Morton, placed in her national hall of heroes, there to be reverently guarded so long as adamant endures and memory wakes.

The man who was known as the great war governor of Indiana, peerless among all the magistrates of those mighty days, requires no other tribute than the simple statement of that giant fact.

And this monument need not be erected for his sake; but we plant it there for his country's sake.

The noblest sentiment of any land is the debt it pays, in its richest excess of tenderest memory, bestowed on honored dead.

How poor and desolate this world would be without its monumental grave, without the quickening conscience of its remembered great!

And so to-day, after more than twenty years of days, with cumulative tense, the public grief bows homage to his name and lays upon his tomb a laurel wreath of glory.

Greatness lies in nobility of mind and goodness of heart, as well as in illustrious deeds.

And Oliver P. Morton lived the brief day that nature spares to man, but that day of his was fuller filled with deeds than hours, with palpitating thoughts than dial marks.

His name comes down to us radiant with a land redeemed, jeweled with the joys of hope, and shining bright and clear in a people reunited, where every man reveres the flag and not one wears a manacle.

This is a generation when kings and conquerors die and naught remains but speechless dust; the end of all is six feet of earth—so spoke Napoleon.

A day when love of man and country confers a prouder name, a grander title than all the glory found in war's grim pageantry of crimsoned conquest.

A day when earth's immortal crown is placed on heads that think—whose proudest epaulets of honor adorn the arm that works—whose most immemorial badge of heraldry reclines on breasts where hearts have felt.

Napoleon spoke better than he knew—wiser than he thought.

To the man who wears the borrowed plumes of ancestry or sports the fading livery of favoritism, the grave ends all.

To the warrior whose sordid ambition may have changed the map of nations, to the soldier whose glory clings round the crown of a destroyer, "the end of all is six feet of earth."

But to the patriot, to the constructor, to the empire builder, to one who learned from mother's lips and father's face and breathed it in from the very air of native soil that his first and last duty was to his country; that to live for her is honor and to die for her is glory—to such a man as Oliver P. Morton—for him to die was to just begin to live.

No widows or orphans were made for him, no tears were shed for his glory.

But his grave is watered by the dews of gratitude and lighted by the stars of a nation's love.

History is like the sibyl; she reveals her secrets leaf by leaf. Time and events solve what no prophet dare forecast.

The price of eminence is a cross and a crown.

To be great is to be maligned, to be misunderstood, to live amidst the curses of the present, and to die in the blessings of the future.

Living, he was a rival; dead, a benefactor.

The grave and mother earth cleanses all.

The man they called a demagogue is now known as a patriot. He whom they called a tyrant, history tells us was a man hurricane battling for the life of a nation—his country—the only true Republic that ever lived.

The man they thought a politician, the sage of events reveals to have been an inspired statesman with a soul and a message.

He delivered that message, and in the realm of time it has become a star that gleams and shines on the crowds of countless waves that ebb and flow in human life and round about the Ship of State.

Oliver Perry Morton was born of rugged mold, fresh from the soil, a native Indian. Sooner or later the stock of all great men must be rejuvenated from the soil.

He came from the Middle West at a time when mighty, elemental forces were evolving within her.

She had not the proud heritage of New York; neither did she possess the polish of Boston; but she did have the smoke and fire and dust out of which worlds are made and swing into orbit.

And it was from such soil and in this air and sky in which he grew.

In the very heart of that land where in his day the battle of ages was begun, he awoke to the contest like a sleeping giant.

He continued that contest, a great blast furnace, with the brain of a Jove, with the courage of a Titan, and the heart of a mother, until that afternoon when he kissed his wife and sons to say, "I am worn out." These were his last words.

But the task was finished, and Morton's life work was over.

He was the foremost man in all the nation to maintain the Union. He lived long enough to perpetuate for all time the results of the war.

This was enough for one man to do.

He is Indiana's greatest son.

Who shall say to what degree he is great among the nation's heroes? There are no degrees in masterpieces.

There is one thing we know—that in one way and another they

have all reached those sublime heights of human greatness to which God descends and man ascends.

There he will remain.

His were the days of rock and bronze, of decks wet with blood and men black with trials.

Days of crises and ominous hope for human liberty.

Days filled with the dread music of preparation and impending suspense—music mingled with the muttered roll of thunders and the crash of empire.

They demanded a Colossus, and in Oliver P. Morton was found a Thor.

A nation was to be saved, and there was no time for argument. No disturbing doubt of vacillating ethics swerved his mind when the issues were so vast and the field a kingdom.

Guns were to be bought, an army to be raised, and men to be cared for.

He was first of all the Union to telegraph Lincoln: "On behalf of the State of Indiana, I tender to you for the defense of the nation ten thousand men."

That was the message of his birth. He filled it with two hundred thousand men and all the days and hours of his life.

It was a message of blood and iron.

To-day it stands a granite statue—an imperishable name.

From that moment he became a god of war, and the arm he raised remained aloft till it nerveless fell in death, "worn out" in his country's cause.

He brooked no opposition, he spurned all compromise.

He had but one passion, his country; but one principle, its salvation; now and forever.

To him firmness was mercy, to bend a crime.

The Union was more sacred than even human blood, than his own life.

And so he lived, a giant oak, but around his rugged breast there twined all the vines and flowers of manly love, the love of home and country, of wife and child and friend.

We will not trespass here on old remembered days of long ago, when love and joy had mingled into wedded bliss upon the happy hearth of home, nor tell of days when hand in hand they wandered down the shadowy slope in self-forgetting rapture.

There is a love too great for utterance, a grief too strong for sentiment.

No soldier ever had a truer friend, no nation a better soldier.

When they left him for the battlefield his hand clasped every man's—a brother; as they fought in the carnage of conflict, with hearts of oak and nerves of steel, he was their comrade, and in the night of pain and death his ministering hand was always there, with tearful eye—their nurse and friend.

And then, when over all the blue and the gray, the smoke rolled away forever, he was the good father of every widow and orphan; he kept green the graves of the dead, and gave honor and relief to the living.

As some one said, in many a humble home where his picture was suspended by the side of the young soldier fallen, the message that the "good governor" had ceased to live would bring sadness as if death had again broken that family circle and once more had chilled the fires of the family hearthstone.

There came to the executive office at Indianapolis two old Quaker friends of Governor Morton, to get from his own lips news from the front. When they heard his words, and looked into that great, solemn countenance saddened by the love of menaced liberty, and tear-stained by the agony of the boys in blue, the eldest one, a man of seventy years or more, reverently placed his hands on Morton's head, and with simple pathos invoked God's providence with "May God bless you, Governor Morton."

Many a soldier has echoed that prayer; the nation has reiterated it.

And, Mr. Speaker, it must be so; God has blessed you, Governor Morton. [Applause.]

Mr. ALEXANDER. Mr. Speaker, attracted by the generous salary of an Indiana school, I became the citizen of a State whose admiration for its war governor was unlimited either by tradition or political affiliation. It mattered not under what circumstances or from what section one came, whether as a soldier who had shared the material blessings of another State executive, or as a son of New England whose ideal of a war governor had developed under the burning zeal and crowning ability of John A. Andrew, he had only to study the history of Indiana to appreciate that the work of Governor Morton, under conditions confronted in no other Northern State, entitled him to the immortal fame of the Greek hero who lived for the glory of Athens.

During the closing years of Governor Morton's life it was my good fortune to know him somewhat intimately. I met him for the first time in 1871. Fifty or more gentlemen, representing a dozen counties of Indiana, were introduced to him in the reception room at the White House, and, after a brief interview, he led the way to the Cabinet room, where, without hesitation, and apparently without the slightest mental effort, he presented each one of us by name to President Grant, mentioning some pleasant

incident suggested in the previous brief conversation. At first this familiarity created no surprise, but after twenty or thirty had been treated in the same courteous manner, making each one feel that he was a gentleman of some consequence in his locality, I became deeply interested in observing the work of such a remarkable memory.

He met us as strangers; he left us his friends. It was enough that we caught his smile; that we heard his voice mellowed into tenderness; that we looked into his face, full of tremendous determination, but softened by eyes twinkling with good nature. No wonder that old men revered, that middle age admired, and that the young loved him.

"How to win friends and keep them," says Mr. Forney, "is the secret of a successful public man." Senator Morton possessed this gift in large measure—not, perhaps, in the same form as that of Henry Clay, whose charms of unrivaled eloquence, of commanding presence, and of great personal magnetism drew men to him in spite of their previous prejudices, but because back of his recognized ability there were strict integrity, high honor, a generous nature, and a smile that illuminated the simplicity and sincerity of his life. "Did you ever see Senator Morton smile?" asked President Garfield of Mr. Schurz. "No man is arrogant who carries a heart so warm and generous that it creates such an expression. To me his smile is a benediction."

He easily met common men on a common level, because he sprang from the ranks of common people. Among those classed as great intellectually he was the peer of the ablest, with all of whom he mingled with ease and confidence. Thus he was perfectly at home with whatever class of men he happened to be thrown, winning some by sympathy, others by his friendly manner, and all by the superiority of his mind.

Senator Morton regretted that his early opportunities for obtaining such an education as cultivates and refines had been so limited. His education, although sufficient for most purposes, had been obtained under adverse circumstances, and for the most part after he was 20 years of age. Prior to that he knew little of the choice associations and refinements which give finish and gloss to scholarship. While Sumner was associating with Justice Story and the cultured men of Boston, Morton was serving at the trade of hatter and using such moments for reading and study as he could catch in the evenings and early mornings.

What others gain in youth and young manhood he was compelled to learn amidst the activities and bustle of a wonderfully busy life; but nature richly endowed him with those qualities of head and heart which, when once their roots touch a sympathetic soil, spring quickly into notice, attracting the most scholarly and refined. It is conceded that the sickness beginning in 1865 mellowed and enriched his nature, and that his greatest intellectual growth was reached after he entered the United States Senate.

He became strongly attached to Senator Sumner almost immediately upon taking his seat. Of all his associates in the Senate he spoke of him most frequently. The similarity of their views respecting President Johnson drew them together very early after he entered that body, the attachment being greatly strengthened by their service upon the Committee on Foreign Relations and by their efforts to secure the passage and ratification of the fifteenth amendment; but their friendship was based upon something more than the mere interest which springs up between men who meet often or are engaged in a common cause. They were very much alike in many respects.

In sincerity, inflexibility of purpose, dislike of cant, and unflinching fidelity to principle as he saw it, regardless of the men who stood in the way, Senator Morton resembled Mr. Sumner more nearly than any other of the latter's associates. Mr. Sumner's courage to express his convictions upon all occasions and under all circumstances won the Senator's admiration no less than his own fearlessness won the admiration of Mr. Sumner. Neither of them knew the feeling of fear in the performance of duty. Had Morton stood in Sumner's place in 1856, he would no doubt have arraigned the slave power with all the severity of his Masonic Hall speech in 1836, even though warned, as Mr. Sumner had been by Mrs. Seward, that such statements would lead to an assault.

But there were other reasons why these distinguished men, apparently so unlike, were very close friends. Senator Morton appreciated the scholarly character and attainments of Mr. Sumner, not so much because they made him preeminent in a body distinguished for its able men, but because something in his own nature was aroused and satisfied by this contact with the highest type of refinement and culture. "My pleasantest relations were with Sumner," he once said to me. "His information came from the Brights and the Cobdens of a nation, and he patiently sought the honor of his country through peace, believing that the views of such men would in the end prevail."

It is not unlikely that these long and friendly relations aided Senator Morton in assisting to bring to a successful termination the vexed questions that grew out of the depredations of the pirate *Alabama*. If ever there was good cause for war between

the two great English-speaking nations, it was given in the cruel and inexcusable part which England then played.

Senator Morton shared the indignation of the American people, and was ready with argument and precedent to show that England must pay or fight; but he never lost the even temper or the patient ear or the generous hope that the better English sentiment would finally control. President Grant recognized his fitness to represent our Government during this trying ordeal by the offer of the English mission; but Morton was a born Senator of the true Roman type. His place was in the United States Senate, and he declined the flattering compliment with thanks.

A year or two after Mr. Sumner's death I asked the Senator why he did not take the chairmanship of the Committee on Foreign Relations. "It is not the committee that makes the chairman," he replied; "everybody knew of the Committee on Foreign Relations because Mr. Sumner lifted it into great prominence, but we hear little of it to-day, and few people know who is its present chairman."

But they knew who was chairman of the Committee on Privileges and Elections after his investigation of the charge that Senator Caldwell, of Kansas, had procured his election by the corrupt use of money. Caldwell was a Republican, a man of influence, possessed of many powerful friends and an excellent family. The strongest influences were brought to bear in his behalf. Men argued and threatened, newspapers criticised and lampooned, and old friends begged, pleading extenuating circumstances; but the chairman, always patient and courteous, was immovable. Senator Morton recommended his expulsion, and Mr. Caldwell escaped only by resignation.

Governor Morton was a great worker. It has been well said of him that "he was never idle when out of the bed, and often spent the dark hours of the night in thought." His attention to details and his ability to carry them in mind from month to month placed him in this respect by the side of the greatest generals in the field. In 1863 he organized the "General Military Agency of Indiana," whose duty it was to contribute to the welfare of Indiana troops, establishing fourteen subagencies in as many different cities throughout the East, South, and West. To supply the means to carry on this work he created the "Indiana Sanitary Commission," with auxiliary societies in every county. Under his personal direction the whole State became a supply camp, contributing in money and supplies over four and a half million dollars.

"In all our armies from Kansas to the Potomac, wherever I have met Indiana troops," writes the well-known correspondent of the New York Tribune, Mr. A. D. Richardson, "I have encountered some officers of Governor Morton going about among them inquiring as to their needs in camp and in hospital and performing those thousand offices the soldier so often requires." He once told me that he kept informed of the location, movement, condition, and strength of each of Indiana's 163 regiments and could call by name most of their commissioned officers.

After the war his attention to the details of party organization was no less thorough. He frequently met the prominent men of the State to obtain their views on public questions and to express his own. I recall several hurried trips from Washington to Indianapolis—one in 1872, another in 1873, and, again, another in 1874—that were concluded before the press was aware he had been out of Washington. He took nothing for granted. It must be positive knowledge, or he had no use for the information. A rumor or report, if of sufficient importance to be heeded at all, must be carefully run down and its truth or falsity known. "I had rather hear a man say it than have him write it," was a frequent saying, "for then I can search his mind."

I have heard it said that he was not a reader. This probably grew out of the fact that he was seldom seen reading. At home he was ever ready to receive callers, and in Washington he seemed always leading in debate or counseling in committee. When he found time to read was a mystery, yet Mr. Spofford, of the Congressional Library, is authority for the statement that Mr. Sumner, General Garfield, and Governor Morton were the three great users of books. He seemed able, as it has been said of Sir William Hamilton, "to tear the entrails from book or paper by a glance and forever to retain their contents." Yet if a book treated of suffering or oppression, except historically, he avoided it. He once told me that he had never finished *The Scarlet Letter*.

I have referred to the Senator's remarkable memory. He seemed never to forget anything. In the preparation of a speech he needed no index, but called for volume after volume, turning readily to the page, and rarely finding occasion to correct his dictation. In opening the campaign in 1876 he felt obliged to criticize at some length and with severity the public acts of Governor Hendricks, who had then been placed in nomination for Vice-President. His speech was dictated in three or four mornings while lying in bed, without opportunity for reference either to books or pamphlets, but not a single correction needed to be made.

It was interesting to watch his intellect, whether speaking or dictating. One could almost see his mind work as he paused between sentences, apparently pondering the best manner to ex-

press the next thought; but when the words came they fell from his lips beaten into such clear, finished sentences that change was afterwards rarely made. "He cared little for the mere graces of speech," said General Garfield, "but few men have been so greatly endowed with the power of clear statement and unassailable argument. The path of his thought was straight, like that of the swift cannon ball, shattering that it may reach, and shattering what it reaches."

Senator Reverdy Johnson said that Morton's first speech in the United States Senate, delivered in January, 1868, recalled the great speeches of Webster and Calhoun. General Grant declared that it settled the question of reconstruction.

His speeches were a library of political information, full of compact statement of apt illustration, and glistening with facts that were impregnable. He grasped and simplified every question, driving home his points with a power and often with an eloquence that never failed to hold audiences as long as he would talk to them. Whatever he said at once became of importance.

In politics Senator Morton was a master. He was not made to follow. Possessing the qualities that make a great leader, fertility of resource, boldness without rashness, aggressiveness without violence, alertness without irritating suspicions, with unerring judgment and a bulldog determination, he was admittedly one of the most consummate political leaders of his time. Circumstances gave him a most tremendous power, additional to the forces bequeathed him by nature. As the great war governor, whose head and heart were large enough to include every soldier and soldier's family, and the welfare of every charitable institution of the State, whether supported by legislative appropriation or not, the foundations of his influence became deeply embedded in the affections of the people.

How genuine and general was this attachment only those could fully appreciate who had been with him about the State. The people's greetings were not of the formal or usual character, but deeply earnest and affectionate. The loud huzzas were frequently hushed into whispered "God bless you;" the crowd, eager to take his hand, pressed about him as if some accident had happened and all were curious to see, while scores of women, dressed in black and holding their little ones by the hand, waited patiently on the outskirts until the way was cleared for them to reach him. To such a man, so loved and trusted and honored, the right to lead was cheerfully granted by the many, doubted by few, and successfully disputed by none.

He was not easily moved from his settled purposes, nor ready quickly to overlook the temerity of those who assumed to question his authority or to thwart his plans; but he controlled by the force of intellect, supported by a dominating will, by tremendous energy, by attention to the smallest details, and by the respect and love of the people.

Judge Headley, of Cincinnati, one of the ablest lawyers of the Ohio Valley, but opposed to Governor Morton politically, said of him that "he seemed incapable of deceit or disguise, but conducted his political warfare in the boldest and most direct and manly style."

On one occasion he was informed that a gentleman—long since dead, but at that time a very prominent and able member of the Indianapolis bar; erratic, perhaps, at times, but one of those large-hearted, generous, impulsive men whom most men respected and no one disliked—proposed standing for the legislature for the avowed purpose of defeating the Governor's reelection to the United States Senate.

"I hope he will do it," replied the Senator with emphasis. "That will give the people an opportunity to say whom they favor." Then, seizing his cane and stalking across the room, he exclaimed: "If he does it, I will canvass every school district in Marion County. Tell him to run and then throw open the school-houses and churches that the people may hear us."

That is neither the talk nor the way of a boss. He did not turn to the star chamber or to caucus. No henchmen were called in and instructions given them to find out his backers and see that by fair means or foul their names did not appear among the delegates who were to nominate a candidate for the State senate. His appeal was directly to the people. "Come and hear us, and then judge ye whether ye be for your old war governor or against him!" Had they met in the political arena, he must have trampled down his opponent like a charge of cavalry; not, however, in a manner to give personal offense, for the speeches of none of the great political leaders of the century were freer from personal abuse.

He belonged to a class of statesmen whose methods and ways were illuminated by unselfish patriotism, and whose leadership was gladly accepted, because, like guideposts, it directed from principle to principle, and always ended in victory and peace. Chase, of Ohio, Seward, of New York, Sumner and Andrew, of Massachusetts, Fessenden, of Maine, belonged in this glorious galaxy. They made platforms, they outlined principles, they blazed the way for a new party which should stand for freedom

and Union. They were leaders because God made them great and noble, and men instinctively recognized their right to lead.

In studying the biographies of these men I have often compared their early struggles, the obstacles in the way of success, the assistance and encouragement received, and the fierce opposition encountered. It is certain they would have been recognized as great leaders wherever their lot had been cast; but whether another could have accomplished as much under the trying circumstances which faced Governor Morton throughout the war may be well doubted. The bitterness with which he was assailed by the enemies of the Union belongs to the sixteenth and seventeenth centuries, rather than to the nineteenth. It was not criticism; it was brutal personal abuse, often as coarse and cruel as the bludgeon wielded in the hands of a would-be murderer. State pride, recognition of great services and great abilities, nothing seemed sufficient to restrain or soften those terrible assaults.

Yet he gave them little or no heed. Although reviled, he reviled not again. Certainly these assaults did not in the slightest weaken his purposes to sustain the Union and bring confusion to its enemies, whether at home or in the South. Mr. Lincoln is quoted as saying: "If I were called upon to name the civilian who had rendered the greatest service to the Government under the greatest difficulties, I should unhesitatingly name Governor Morton."

One of the crowning glories that characterized his political leadership was fidelity to friends. It was charged that he carried this too far. The same charge was preferred against General Grant. I do not deny that there was some reason for the criticism; but it is a glorious fault. Unswerving devotion to principle always goes hand in hand with fidelity to friends. These traits have a common origin, springing from a good conscience, supported by firmness, warmed by active sympathies, and guided by intelligence. Senator Morton could not have been so true to principle and less constant to friends. Who can imagine General Washington casting off Hamilton because of the clamor against him? When Mr. Lincoln put his arms about the neck of Secretary Chase, asking him to withdraw his resignation and remain in the Cabinet, it was an exhibition of the same fidelity that struck off the shackles from 4,000,000 slaves.

It is only when we meet in history the false-hearted, the weak, the fickle, the designing, or the wickedly ambitious that we hear the cry of Wolsey:

Had I but served my God with half the zeal
I served my king, he would not in mine age
Have left me naked to mine enemies.

I have said that Governor Morton never finished the "Scarlet Letter." This sensitiveness to suffering, either mental or physical, permeated his everyday life, his one continued, sustained effort as governor being to ameliorate as far as possible the horrors and sufferings of war.

When Pericles was dying, the principal men of Athens, supposing him beyond the power of hearing, spoke in his presence of his many victories and trophies; but the great statesman and warrior, still clutching the sense of hearing and of speech, kindly chided them for extolling what fortune had assisted his doing. "Say rather that no Athenian, through my means, ever put on mourning." The great war governor of Indiana could have said the same with equal truth.

He did not always receive credit for such tenderness and sympathy. His tremendous energy, his ceaseless activity, his fearless arraignment of the opposition, his terrible denunciation of atrocities practiced in the South by Ku Klux and White Cap, and his apparent insensibility to criticism, however brutal and drastic, created an impression that he was severe and vindictive and by nature cold and coarse. On the contrary, he was as tender and gentle and affectionate as a Sydney.

The great work of the Indiana sanitary commission had its inception in his active sympathies, and his eloquent and earnest efforts for freedom found their origin in his deeply seated hatred of wrong and his profound sympathy for the oppressed. He delighted in doing good to others. When a returning regiment suddenly appeared in Indianapolis and found the rain leaking through the roof of the barracks in Military Park he ordered it into the statehouse and threw open the doors of his own office for its comfort. Learning at the War Department in Washington that one of his regiments had been ordered East, he telegraphed the mayor of Cincinnati to have ready for them "a good, warm, home supper" as they passed through that city.

His home life was ideal. The wish of one was the desire of all. Never cloud shadowed it nor frown chilled it. Sickness might invade it, disappointment might enter it, severe pain, endless and unremitting, might smite it, and calumny, coarse, brutal, and persistent, might pound and clamor at its doors; but the peace, the love, the good-night kisses, and the happy morning greetings of that united and joyous household were never interrupted or disturbed.

It was my privilege to remain often at the bedside of the great

statesman during the last two months of his life. The pain, the long, stifled groans, the intense suffering, the pleading tenderness of his voice, weakened to soft whispers, wrung tears from the stoutest hearts; but there was no impatience, no peevish repining, no words of bitterness or of regret. The coming of a friend illuminated the agonized face as quickly as the sun, bursting through threatening clouds, floods a landscape with its golden beams.

To the end his room was headquarters and his life the center of a nation's thought. There came to him the representatives of States and the head of the American commonwealth; each day loving and tender solicitude clicked its messages from far-off friends by the Golden Gate and along the Columbia and Willamette; the flowers which bloomed in the valleys of the Tennessee and the Cumberland came as a morning salutation from the faithful Uncle Toms and the sorrowing Topsyies; the silver-tongued and silver-haired orator whose eloquent words had been heard on every stump in the land and whose voice was only recently hushed in death sat often by the bedside, holding in his the withered hand that he had strengthened and sustained; and when at last came the feeble and final words, "I am worn out," they fell upon the ears of the learned and loving physician to whose memory came the words of Longfellow to Mr. Sumner:

Good night, good night, as we so oft have said,
Beneath this roof at midnight, in the days
That are no more and shall no more return.
Thou hast but taken thy lamp and gone to bed;
I stay a little longer, as one stays
To cover up the embers that still burn.

[Applause.]

Mr. CRUMPACKER. Mr. Speaker, Oliver P. Morton attained to manhood's estate at a time in the history of the country when the greatest issue that ever engaged the thought of the Republic was rapidly reaching an acute stage in its development. Dialectics and parliamentary skill reached the climax of their development in the Federal Congress in the historical and often acrimonious contests over the slavery question. The "irrepressible conflict" had already reached the stage of all-absorbing interest, and the forces were reconnoitering for advantage in the final conflict. The slave interests were represented in all branches of the Government and in party councils by as able and courageous statesmen and as skillful parliamentarians as ever stood in defense of any cause in any country.

Every measure proposed, every policy suggested, was rigidly scrutinized to discover its bearing upon the "peculiar institution," compared with which every other interest was dwarfed into insignificance. Its advocates viewed with apprehension and astonishment the rapid growth of the free States and the development of institutions inherently antagonistic to slavery. Compromise after compromise had been effected in the hope that the troublesome question would be entirely eliminated from political controversy, but it would break out again with increased fury upon the slightest provocation.

Political ambition, party fealty, and commercial conservatism could not suppress it. Politicians endeavored to placate, but succeeded only in tiding over an immediate emergency, to witness a volcanic outburst at an unlooked-for point. The question was fundamental, and political empiricism could only palliate—could only serve to postpone to a remoter date the inevitable crisis.

Morton belonged to the Democratic party, the dominating influence of which was committed at all hazards to the protection of the interests of slavery. That unhallowed system was so interwoven into the social and industrial life of the Southern States that almost every law of general application affected it in some degree, and it was a source of increasing irritation between the North and the South and was rapidly becoming a positive menace to the Union. The growth of antagonistic sentiment in the North was as resistless as the tides of the ocean and as involuntary as the sweep of the storm. The Democratic party was the best organized and the most powerful party the Republic had yet seen. The interests of slavery controlled that party, and the party controlled the destinies of the country.

Slavery became aggressive and demanded new territory to preserve its political equilibrium, and Northern politicians submitted to the demand as far as they could without positively offending Northern sentiment. They became apologists for, rather than defenders of, that institution, and they were fortified in their positions by trade—obsequious, truckling trade—while the opposition was poorly organized and without discipline. But its motive was conscience and its purpose humanity.

This was the situation in the middle fifties when Oliver P. Morton renounced allegiance to the Democratic party, the only party that held out any hope to his personal ambition, and allied himself with a movement to create a new organization out of the dismembered fragments of the opposition upon the proposition that slavery should not be carried into new fields.

He was possessed of an intense nature and human ambitions, but he was a man of powerful convictions. Viewed from his standpoint, the change of party allegiance was a sublime sacrifice of ambition to principle, an act worthy of the noblest character in

all history. The world loves to honor those lofty spirits whose life powers were dedicated to the cause of human liberty.

Morton was a giant physically, morally, and intellectually, and was led only by an overmastering sense of duty. Like a mighty leviathan of the sea, he came forth as the great champion of human rights, and his thunderous voice was heard all over the land. He was a veritable Joshua, attacking the walls of slavery's Jericho with the bugle blasts of his ponderous eloquence. He loved the truth for the truth's sake, and he was the most conspicuous and influential of all that splendid galaxy of statesmen of his time, who placed duty above party and joined the holy cause of freedom.

As an orator, as governor of Indiana, as a Senator in Congress, as an adviser in the councils of his party, he was an ardent and consistent advocate of human equality. He never abandoned a principle or forgot a friend. He was as loyal to his convictions as the needle to the pole. He sought public office only because it would enlarge his field for usefulness. He would scorn to subvert a public trust to personal ends.

His nature was rugged, his ideals noble, his methods practical. He knew human nature as it was, and made the highest and best use of its weaknesses as well as its virtues. He had confidence in himself, and he never disappointed his own hopes nor the expectations of his countrymen.

His forensic feats were those of a mighty gladiator whose weapons were an intense passion for his country and the ponderous trip-hammer of eloquent logic. He became a Republican at the organization of that party, and to say that he was not a strong partisan would belie his heroic nature. He loved his party because he saw in it a potent agency for the betterment of his country. He indorsed and approved party methods only to make it a more effective agency for doing good; but he never compromised a truth nor sacrificed a principle to gain temporary party advantage.

He had no patience with demagogues or timeservers. He was a leader of men whose commission came from on high and whose credentials were never called into question. He looked not for pathways in which to tread, but with unerring instinct he followed the light of truth as it was revealed to him, whithersoever it led.

To such noble characters the world is indebted for the establishment and preservation of the Republic.

Morton was actively identified with the momentous issues of the civil war, and President Lincoln had no more loyal supporter than he. He was in deed as in name Indiana's "great war governor," whose indomitable will found a way to accomplish its every purpose. He was largely instrumental in shaping the troublesome reconstruction legislation following the war. No Senator was heard with more respect or spoke to greater purpose.

His life is a splendid contribution to that glorious list of illustrious statesmen and patriots who controlled the destinies of the Republic in the greatest crisis of its history. We may pay respect to his memory by the beautiful statue in yonder hall, the tribute of affection of the great State whose interests he served so well, but his influence will be felt in free institutions and his fame will dwell in the hearts of a free people long after that elegant piece of chiseled stone shall have crumbled into dust. [Applause.]

Mr. FARIS. Mr. Speaker, the name of Oliver P. Morton stands without a peer among the sons of Indiana. The annals of his time furnish an ample record of his signal achievements, and my colleagues have suitably recalled them to-day. It does not detract from his fame as a Senator to say that the people of Indiana remember and cherish him most as their unexampled war governor. He was then on their soil, where they could see and touch him, and his gigantic efforts during that period of fire were truly wrought with masterful hand. When the mightiest issue of the age was cast for settlement amid the stern forces of war, his place was with the foremost on the side of the right. His was a conspicuous power to discriminate against the nonessential and grasp and make effective the vital. He did not heed the tongue of calumny and detraction, but made herculean efforts to save his imperiled country. In the matchless scenes of that awful tragedy but one name could have precedence over his with the people of Indiana, and that the immortal name of Lincoln.

It is not possible, Mr. Speaker, with any knowledge of his career, to think of Morton except as great. His ceaseless energy suggests the ceaseless motion of the sea. Had he continued his life as lawyer and jurist he would have taken place with John Marshall and Daniel Webster; had he chosen the military profession he would have rivaled a Napoleon and a Grant. In the list of eminent war governors he easily stood at the top, and upon his advent to the Senate of the United States he ranked at once the equal of Sumner and his great compeers. Adventitious conditions did not contribute to his rise. From boyhood his chief capital for his future was reliance upon himself, upon his own integrity, upon his own conscious power to achieve. His was the genius of action, and when opportunity came he was equipped, ready, and equal to it.

In November, 1860, when the execution of the threat of seces-

sion was imminent, his was the first potential voice to sound throughout the nation that coercion should be the policy of the Government. Having thus declared himself and committed the State he governed, throughout the unspeakable conflict which followed all his gigantic powers were exercised in the cause of the Union.

The consideration of the obstacles he encountered and overcame in this task adds luster to his irrepressible qualities of mind and heart. In the capitol that sheltered him were State officials hostile to his determination that Indiana should contribute her full share toward the preservation of the Union. Likewise a hostile legislature adjourned without making appropriations to carry on the State government and institutions.

In various localities the State was honeycombed with Southern sympathizers, and from these even Morton's life was threatened and at least once attempted. But he resolutely ignored the hostility of officials; with a courage that was regal he disregarded threats of personal violence; he borrowed money on his own account to support the State institutions and pay the interest on her debt, and at the same time enlisted, clothed, armed, and furnished to the National Government from the State he loved more than 200,000 soldiers with a promptness and apparent facility that startled the whole country.

While other States were considering plans and enlistments the Hoosier regiments were taking the field and making their sacrifices for country and for home. Where weaker spirits would have faltered, his great soul was inspired in the presence of danger and necessity. And thus, by the indomitable will and steadfast vigil and tireless labors of her great war governor, sustained by a brave and generous people, did the proud State of Indiana assume at once and forever her merited position with the great Commonwealths of the nation.

Mr. Speaker, it is pleasing to contemplate another side of the life of the great Morton. The public saw and judged of his conspicuous, his public, achievements. Every eye can see the sun; but the public knew little of the perfect domestic life he enjoyed. While his grasp upon momentous questions was of steel, his indictment and invective against wrong and injustice were heroic, in the sacred precincts of home he was gentle and loving as a woman. There he found his relaxation; there the perfect rest of the human life.

Linked with the question of the state of his soul he consciously carried to the very portals of the beyond his supreme love as husband and father. It is related that in the last hour Mrs. Morton asked if he was not afraid to die, and he answered in the negative. She then asked if he loved the Saviour, and he answered, with emphasis, "I do," and added, "and my wife and boys."

I hope it is not inappropriate to reveal, in this presence, at least, a little of the gentle side of this now illustrious man. As a youth it was my privilege to receive his words of encouragement and to feel the warmth of his genial hand clasp.

Mr. Speaker, if it is true that in great stress and emergency leaders of men are reared, and I believe it true, then is it easy to accept Morton as a gift to carry out the purposes of God among the sons of men. His was a character that towered. It stood through untold temptations and vicissitudes as the tall cliff around whose peak the lightning plays only to leave it the cleaner. We accept to-day the shining marble in yonder historic hall.

It typifies the physical presence of his great personality and the pride of Indiana in her chivalrous son.

But his heroic deeds for State and nation, the example of his patriotism, his uprightness among men, his love of home, and his exalted character will forever outshine the marble, and will survive while virtue and honor live. [Applause.]

Mr. CANNON. Mr. Speaker, the gentleman from Indiana [Mr. STEELE] some days ago asked me to say a word on this occasion. In the business of the House and of the committee I have not had the time or the opportunity to prepare anything to submit. But, sir, there has been no occasion during my service in the House where my heart would prompt me more to submit a few remarks touching the life, the character, and the services of this great man.

I very well recollect the first time I ever saw him. Away back in 1856, when I was but a boy, during the Fremont campaign, living in the county of Park, Ind., Governor Morton, a candidate for governor on the Republican ticket, and a great meeting at the county seat of that county—Rockville. I, with many others from the neighborhood where I lived, went to that meeting, and for the first time listened to Mr. Morton. A new party had just been born, and, as I recollect, it required courage for a man to belong to that party at that time, his opponent, Governor Willard, a Democrat, an able and great man, having the confidence of his party—two young giants making a contest against each other.

The new party had just been organized and was accused of many improper things, being the party of abolitionism, of black Republicanism, and so on, and so on. I said a moment ago that it required courage—that it cost something then to belong to the Republican party. A great crowd, as I have said, had gathered together; and then this young man, standing, as it seemed to me,

like a second Saul, a head and shoulders above his fellows, not only physically but intellectually, addressed the multitude.

There was but little of applause given to him during that two hours' talk; and it was two hours' talk, I recollect—such talk as I had never heard before and such talk and speech as I have never heard since. It was characterized by great intellectual force and great power, coupled with great animal force; and as a result of that great meeting, he being the retaining point on that day, you could see the people draw to him, and the faith of those was strengthened who were inclined to believe in the principles of the party just born, and were followers of the Pathfinder as their leader in that contest; and the great multitudes of people—some who had been Democrats, but did not agree with the doctrines of Democracy in apologetizing for or defending the institution of slavery, and great numbers of men who theretofore had been Whigs and were afraid of the obloquy of belonging to the new party—came together, as it seemed to me, almost as one man; and that county, largely from the effects of that speech, the county of Park, from that time to the present has been a stronghold of the policies of the Republican party.

I again listened to him in 1860, when he was a candidate for lieutenant-governor. A little previous to that time, finding my home in Illinois, I did not see much of him, but I knew of him. He was a great leader in the politics and the progress of the contests that were made from 1861, when he became governor.

On an occasion of this kind of course it would not be proper, nor have I any desire, to speak of the party contests as a partisan. They are behind us. Men honestly held views different from each other, not only South but North; views that came with education, environments, and surroundings; and I may say, and truly say, that in that contest in Indiana, settled as it was largely from Kentucky, North Carolina, South Carolina, and Tennessee, the same as in southern and central Illinois, men by education and environment had extreme feelings touching the great contest.

It was Morton's duty as governor of the State of Indiana to lead in the contest. With nerve and courage through that contest of four years, from 1861 to 1865, as governor of that State, leading the people of that State under most trying circumstances, he gave strong, earnest, and effective support to the President of the United States; and of all the great war governors he was the greatest, and I am not saying less for the others, but more for him.

No man can write the history of that great contest, has written it, or can in the future write it, without making Oliver P. Morton one of the great characters in it. I think I know that he saved his State from civil war, and his influence was especially felt over in Illinois and supplemented the efforts of the great war governor Richard Yates.

Great men sometimes live and die without being known. I believe there are as many strong men now in the United States, perhaps more, than there ever were before, but many of them will not be known, and will live and die without attracting much of notice. The Republic, in perilous times, when surrounded by circumstances that require great wisdom, great strength and courage, has always found great men to meet them. Oliver P. Morton was in Indiana, not only for Indiana but for the whole country, a saving force in that great emergency.

Later on he became Senator from the State of Indiana. I never met him again until in the Forty-third Congress, when I served my first term here. I took an early opportunity to call upon Oliver P. Morton and pay my respects, telling him where I had first seen him and the circumstances. It seemed to interest him, and from that time on my acquaintance was fairly intimate with him. Reconstruction was not at that time complete. There were great debates in the Senate. The results of the great contest were being secured.

I frequently went to the other end of the Capitol that I might listen to the debates. There were great men there. Morton, Senator Carpenter, Senator Logan were there; and other great men upon the other side, among them Thurman, of Ohio. There were veritable giants there upon each side. Conkling was there, amongst others.

I do not think Mr. Morton in eloquence, culture, or polish was the equal of Senator Conkling; I do not think, in some respects, that he was the equal of Senator Thurman or Senator Carpenter; but as I listened from day to day, Morton sitting in a chair, unable to stand, but sitting and talking in these great debates, with his great strength and earnestness, his great voice, and his great intellectual force, he impressed me then, and my recollection of him is now—and the reading of some of those debates confirms my recollection—he was easily the strongest and best debater that I have ever had the pleasure of listening to in that great body or this great body, and in making that remark I do not disparage the great men with whom he had contests.

Weakened by disease, he fought the grim monster month by month and year by year to the end by his strong will power, keeping him at bay. But finally the sad hour came when he was to pass from earth, and he passed from earth as he lived, with dignity and with courage. His character, his teachings, his courage,

his intelligence and strength, long years after all of us shall have passed away, will live in history, an example and an inspiration to those who shall do the Republic service in perilous times. Peace to his ashes. [Applause.]

Mr. WATSON. Mr. Speaker—

Can storied urn, or animated bust,
Back to its mansion call the fleeting breath?
Can honor's voice provoke the silent dust,
Or flattery soothe the dull cold ear of death?

These solemn questions, asked with such marvelous richness of poetic beauty, carry with them their own reply. They impliedly tell us that the dead are as far beyond the reach of our short arms as are the stars that shine above us in the heavens at night. Shakespeare, that marvelous delineator of human character and impulses, recognizing the tendency in man to excessively eulogize the dead, puts it upon the tongue of his supreme orator to exclaim:

I come to bury Caesar, not to praise him.

And so, I shall indulge in no fulsome flattery; I shall enter upon no lofty panegyric. For well nigh a quarter of a century he has slept in the cold and narrow house, indifferent alike to the careless shallows and the tragic depths of human life, above the utmost power of human help or harm, beyond the speech of the gem-laden tongue of praise or the putrid lips of calumny and hate. In his sculptured presence all tongues are silent save those of praise; all lips are mute save those of love. There were sufficient eulogy for his great soul.

It is for the living, rather, that these exercises are of surpassing moment. And so, we are assembled in this great forum, with every mournful ceremony of respect, to recall the instructive story of his life; to commemorate the commanding virtues of his soul; to learn again the heroic lessons that he taught; to draw from his lofty example and luminous patriotism renewed inspiration for the solution of the mighty problems that confront and vex us as a people.

To-day the rivalries and resentments engendered by the greatest conflict of our history are all extinguished, and we can search out the place in the temple of fame, which impartial history has irreversibly decreed to him. We can, in a spirit of fairness and candor, determine why Indiana should have provided a marble representation of her greatest son, and why this nation should accept this speechless yet eloquent figure to adorn the Rotunda of her Capitol.

Three forces enter into and determine the character of every man—the force of heredity, the force of environment, the force of will.

Morton sprang from a sturdy stock—his paternal ancestry from Rhode Island, whither they came with Roger Williams; his maternal from New Jersey. These States derived it from England, and England bred it at a time when Puritans were made—men of iron mold, hammered out upon the anvil of adversity. If, sir, it be true that "the source of genius is oftentimes in ancestry," Morton was doubtless indebted to that ancestry for the solid granite of his character, for from them he obtained that indomitable will that met no obstacle it could not overcome, that masterful energy that set no limit to its possibilities, that inflexible purpose that never faltered in the accomplishment of its object, that heroic optimism that in every conflict steadfastly believed in the ultimate triumph of the right.

Like nearly all the conspicuous figures of our history, he was a self-made man. "Orphanage was his only patrimony." He was not born in the lap of lavish luxury, but was reared in poverty; not, indeed, that degraded and dependent indigence so prevalent in our large cities, but that healthful poverty that stimulates to action, that sets a ladder for ambition, that gives wing to inborn hope. What he won was his because of genius and of talent, by dint of struggle and of toil.

Young Morton possessed to a remarkable degree the art of creating opportunities, of fashioning circumstances, of foreseeing the future and molding it to the accomplishment of his purposes.

He was also gifted with that intuitive sagacity that enabled him to seize the opportunity when it did come and profit by it immeasurably, to take the flood tide of the wave and on its crest to ride to victory and to final triumph.

As the gold in the mountain may be hurled to the surface by a mighty volcanic outburst, so some men are brought to the supreme summit of affairs by ghastly revolution. But if no revolution comes, that gold, to be enjoyed, must be patiently sought and as patiently dug. Oliver P. Morton could not have remained unknown in any country or in any age, for both in boyhood and in manhood he possessed that overpowering and overmastering will that with a regal stride scaled every height and forced him to the very front as by right.

Oliver P. Morton was thrust into life in an era of the profoundest moral apathy in our history. When he was born, in Wayne County, Ind., in the district which I have the honor to represent, seventy-six years ago last August, the fervor of the Revolution had long since spent its force, while the fires of slavery agitation,

which were subsequently to envelop and well-nigh consume the Republic, were not yet kindled.

While he was yet in his childish years Garrison issued the first Liberator and "Nat" Turner's insurrection occurred in Virginia. While he was yet a youthful lad that same Garrison, within sight of Faneuil Hall, in a city which had taught a nation its independence, was thrust into prison for declaring that all men are created free, and in the great State of Illinois Lovejoy, for reiterating the principles of the Declaration of Independence, was cruelly murdered.

And so the youthful Morton grew and strengthened with the years, "all unconscious of the ominous and threatening clouds in the political sky above, the quaking and convulsion of the political earth beneath," in the future outbreak and final and triumphant culmination of which he was to play so important and conspicuous a part.

At the tender age of 4 death deprived him of his mother, and his home was subsequently made among his relatives.

His education consisted in attendance upon the school of his native village, supplemented by two years at Miami University, at Oxford, Ohio, after which he served four years as an apprentice in learning the trade of a hatter.

There was nothing fascinating for him in this occupation, however, and he succeeded but indifferently. He longed for other and broader fields of usefulness. His ambition was on the wing and beckoned him onward and upward. But the four years of his service here assisted in laying the broad foundation of his character. He acquired an accurate knowledge of men and affairs. He became a student by force and habit. In the debating school he developed into a fluent talker and a ready speaker—the easy master of forceful speech. He became a leader by the bent and inclination of his mind. Thus equipped he entered upon the study of the law in 1843.

His venerable preceptor, Hon. John S. Newman, thus wrote of him:

Senator Morton came into my office at Centerville in 1843 at the age of 20. As a student he was industrious and thoughtful; anxious at all times to accomplish everything he undertook. In discussing questions that arose in his reading he exhibited a quickness of comprehension and a clearness in statement that gave promise of that success in his chosen profession which he afterwards secured.

His professional career covered the seventeen years from 1843 to 1861, when he became governor of Indiana. When he retired from the profession he stood well toward the front.

He was a splendid lawyer. He knew the history of the law, its growth, its evolution. "From the fields of contest in the past he saw great principles arise and take the form of law." He knew that truth is a structure reared only on the battlefields of contending forces; that these truths ripen into principles, and these principles into law. These principles he knew—these larger outlines of the law. He was not a case lawyer; he was not a precedent hunter; he was not an index to many musty books, not "an echo of a voice long stilled;" but in the field of research and investigation he was original, thoughtful, and profound.

At the age of 29 he was appointed judge, and served on the bench one year, when he resigned. He was ill adapted to the position. His aggressive and combative spirit longed for the field of conflict. He was essentially a child of the storm, and in this great forum had no superior and few equals. He forged steadily forward and upward because of his courage, his perseverance, and his indomitable will, until he became the acknowledged leader of the bar of eastern Indiana—a bar numbering among its members such men as Caleb B. Smith, afterwards a Cabinet member; Samuel W. Parker, James Rariden, Jehu T. Elliott, afterwards judge of the supreme court of Indiana; Charles H. Test, John S. Newman, George W. Julian, member of Congress and candidate for Vice-President on Free Soil ticket, and Thomas M. Browne, who afterwards represented that Congressional district in this body with conspicuous ability for fourteen years.

General Browne, in speaking of him as a lawyer, says:

He presented a legal question with great force and clearness. With a mind at once robust and critical, he was able to grasp the whole scope of his subject, to fathom its profoundest depths and master its minutest details. With a quickness that was notable he seized upon the strong point in his case and centered upon it every power of his mind. He fortified it with facts, entrenched it behind with precedents, environed it about with illustrations, until his position seemed impregnable. While he chose with unerring certainty the strong point in his own cause, with equal readiness and accuracy he discovered the weak one in that of his adversary.

No man was better versed in putting facts to the court or jury. He readily detected a sophistry and would crush it into fragments as the "spray is broken upon the rocks." With no eloquence other than the talent of giving force to reason, he was a most successful and formidable jury lawyer. He had a keen insight into human nature and possessed an extraordinary influence over men. With a dominion that was absolute, he seized upon the sympathy of the jury and poured the resistless tide of his own earnest emotions and convictions into their hearts.

Had he chosen to remain in this profession, who can doubt his final success and complete triumph?

But this was not to be. His was destined for a broader field of action. His soul was molded for a more heroic strife. In the beginning of one of the mightiest conflicts of history he was taken

from his office to uphold a State. A crisis was approaching in the history of our country. One that would require for its solution the sternest morality and the loftiest patriotism; the grandest combination of heart, conscience, and brain beneath the flag. It was for such prodigious tasks that his titanic abilities were destined. He flung himself into the conflict with all the fiery ardor of his impassioned soul.

No power in all the history of the world was ever more firmly established than was slavery in this country during the time Morton was achieving success at the bar. Intrenched behind popular favor, social power, boundless wealth, a cringing state, and an uncensuring church, it deemed itself impregnable. Before this crime wealth and power fell upon their knees. The rich, the great, the strong, the wise, the good bowed low before its cruel might. The men who spurned the Declaration of Independence were called the friends of the Republic, while those who refused to kneel were denounced as the enemies of their country.

For fifty years slavery ruled at the White House, made laws in the Capitol, wrote statutes in the legislative halls, and dictated the policy of the Executive Chamber. "Courts of justice were its ministers, and legislatures were its lackeys." It ruled this entire nation with absolute sway, and with an iron hand suppressed discussion of its institutions. It interpreted the Bible to support its savage code. It prohibited in the free States schools for the hated race, and with hungry hounds hunted women who taught little children to read.

"It tore the Golden Rule from the schoolbook and from the book of prayer the pictured benignity of Christ." Under the shadow of the Dome of our national Capitol droves of slaves with clanking chains upon their limbs were scourged and driven to the market. This system, which, fortified in selfish greed, enlisted to its support the lowest instincts of man, which "transfigured with hate the gentle face of mercy," and which violated every Christian precept, was such a damning blot upon the fair name of the Republic that it could be wiped out only with blood. Slavery herself hastened the crisis.

Lovejoy was murdered, Garrison imprisoned, Sumner stricken down. The fugitive slave law—passed by compromisers to appease the owners of human flesh—a law that put a chain on the neck of every man, was placed upon the statute books; the Missouri compromise was swept aside, and slavery marshaled her forces to invade the virgin soil of the free Territories.

But a few heroic men cried out, "No!" and slavery recoiled at the first word of independence spoken to her in all her years of power. But she recovered from the shock and gathered all her forces about her not only to preserve her own domain but also to conquer an empire for her dominion. She sought to tear the Stars and Stripes into shreds and from the tattered fragments to construct the Stars and Bars. She sought to crush the Union and from its ruins to erect a new nation whose foundation should be the stooping and lacerated backs of 4,000,000 human beings. But a merciful God interposed, the mighty North arose in the majesty of freedom, 2,000,000 soldiers sprang to arms to rescue the imperiled Republic, vindicate liberty, and perpetuate the Union, and after four years of unparalleled conflict the flag came forth with every star upon its folds.

Into this mighty conflict the young Morton threw himself with characteristic intensity. His early training and association had been with the Democratic party, but when its leaders sought with ruthless hand to sweep away the Missouri compromise he refused to follow.

He had heard the ringing words of Sumner when he cried out to the slave oligarchy in the Senate:

Say in your lofty madness that you own the sun, the moon, the stars, but do not say that you own a man, endowed with a soul that shall live immortal when sun and moon and stars shall have passed away.

And they made a lasting impress on his soul. Above the lightning's flash and the thunder's peal he had heard the clarion voice of Wendell Phillips crying clearly and steadily above the din, "Slavery must be destroyed! Slavery must be destroyed!" He saw and understood. And in the shadow of secession, on the edge of disunion, near the abyss of war, with the air filled with the ominous and threatening sounds of preparation, to the demands of his party that the Missouri compromise should be repealed, he cried out, "No!"

So near is grandeur to our dust,
So near is God to man,
When duty whispers low, "Thou must,"
The youth replies, "I can."

He was unquestionably the choice of his party for the nomination for Congress in his district, and was even mentioned for the United States Senatorship, but his convictions on the subject were so strong that he put aside all blandishments in order that he might follow his sense of right.

He did not leave his party, however, without a struggle, but labored ceaselessly with its leaders in the State in order to prevent a resolution supporting the repeal of the Missouri compromise; but his labors were in vain, and when, amid the hisses and jeers

of the Democratic State convention of that year, he withdrew from its midst they themselves had virtually expelled from their party the man who was to be the most steadfast and the most powerful champion of the Republican principles in Indiana, if not in the nation, for many years to come.

In 1856, at the age of 33, he was nominated by the young Republican party as its candidate for governor. He was defeated in that contest, but his active canvass demonstrated his transcendent ability to grapple with the great problems which then confronted the people, and his services were so conspicuous that he easily became the leader of his party in that pivotal State, and from that time forward all looked to him for counsel, for leadership, for advice. In 1860 he was nominated and elected lieutenant-governor, but served in that office but two days. Henry S. Lane, who was elected governor, was sent to the Senate, and Oliver P. Morton at once entered upon the duties of the chief executive office of Indiana.

Hon. William Dudley Foulke, the cultured and classical biographer of Oliver P. Morton, who for so many years lived in the same county with him, thus describes the condition of Indiana when he became governor:

Such was the condition of Indiana; her treasury bankrupt, her credit poor, frauds everywhere, no money, no arms, no ammunition, no militia, except on paper—and even this organization in the hands of officers many of whom were in sympathy with rebellion—a legislature with a formidable minority, reluctant and revolutionary, having the power and the will to stop even the most needful measures of public defense—such was the condition of the State when the most gigantic war in American history broke out, and demanded resources and energy for which prosperous times and undivided patriotism would seem barely sufficient. But the will and intellect of the great war governor were equal to the emergency.

The mantle of prophecy no longer descends upon a successor; but in every age there are a few masterful men who are masterful because they comprehend the true condition of affairs, see clearly the inevitable end from the beginning, and at once discern the surest and the swiftest way to reach the goal. Such a man was Oliver P. Morton, and on the 22d of November, 1860, but a few days after the election of Abraham Lincoln, in a speech on the duty of the hour, he gave utterance to truths so great and announced principles so weighty that it rang throughout the land like a bugle call. At that time the shadow of secession was flung across the land. "In the darkness the bravest halted, the stoutest stood appalled."

Horace Greeley proposed that the erring sisters be allowed to depart in peace, and the sentiment was echoed and reechoed throughout the North. Conferences, conventions, compromises, peace proposals, panaceas, and remedies followed in wild disorder. Abraham Lincoln had not yet spoken. The nation was bewildered. Confusion reigned supreme. The one momentous question of the hour was, "What shall be done if South Carolina secedes?" and brave men answered it with bated breath. It was reserved for Morton to speak, to formulate a policy, to announce a plan, and he did this so boldly, so fearlessly, so ably, that Abraham Lincoln, when he read the speech, exclaimed, "That settles the whole matter. It states the necessary policy of the Government," and all the North applauded. Hear his ringing words:

There is but one way in which the President can be absolved from his duty to exert all the power reposed in his hands by the Constitution to enforce the laws in South Carolina, and that is by our acknowledgment of her independence. The Constitution provides that Congress may admit new States into the Union, but there is no provision for turning one out or permitting one to go out. A State once admitted into the Union becomes a part of the body of the nation. A secession or secession is not contemplated by the Constitution as permissible or possible.

If we allow a State peaceably to secede, we thereby concede the right of secession in the most substantial and solemn manner. It would be sheer nonsense to allow a State to secede and yet deny that other States may retire in the same manner whenever they see fit. We can not, therefore, allow South Carolina to secede without conceding the right, and thereby settling the principle as to the remaining States. The right of secession conceded, the nation is dissolved. Instead of having a nation—one mighty people—we have but a collection, a combination of thirty-three independent and petty States, held together by a treaty which has hitherto been called a Constitution, of the infraction of which Constitution each State is to be the judge, and from which combination any State may withdraw at pleasure.

If South Carolina gets out of the Union, I trust it will be at the point of the bayonet, after our best efforts have failed to compel her submission to the laws. Better concede her independence to force, to revolution, than to right and principle.

Shall we now surrender the nation without a struggle, and let the Union go with merely a few hard words? Shall we encourage faint-hearted traitors to pursue their treason, by advising them in advance that it will be safe and successful? If it was worth a bloody struggle to establish this nation, it is worth one to preserve it; and I trust that we shall not, by surrendering with indecent haste, publish to the world that the inheritance which our fathers purchased with their blood we have given up to save ours. Seven years is but a day in the life of a nation, and I would rather come out of the struggle at the end of that time defeated in arms and conceding independence to successful revolution than purchase present peace by the concession of a principle that must inevitably explode this nation into small and dishonored fragments.

As governor of Indiana he had the most prodigious tasks of her history to perform. Frauds, gigantic and unblushing, were rampant on every hand. With one powerful blow he crushed them all, brought order out of chaos and purity out of corruption.

His State seemed to be the center of the conflicting elements, of the struggle between union and disunion, slavery and freedom. For many months it trembled on the edge of secession, and naught but his stalwart presence preserved it to the Union. He, in and of himself, formed an impassable barrier between Indiana and the abyss of secession.

His record as the war governor of Indiana is without a parallel, even in that heroic day. But the darker the hour the more determined his purpose, the greater the obstacle the more unbending his will. As Conkling so well said of him, "No labor discouraged him, no contingency appalled him, no disadvantage dismayed him, no defeat disheartened him."

When the Government was tardy in supplying him with ammunition, he directed, without warrant of law, an establishment for his own State, which freely supplied all Indiana soldiers, frequently served the Government, and very often administered to the necessities of neighboring States. On his own responsibility he purchased vast quantities of clothing and stores for Indiana soldiers. He established a great sanitary commission which ministered to the wants of every Hoosier soldier on every battlefield and in every camp. His was a sleepless vigilance. He organized his own physicians and nurses into trained corps, and no sooner had the smoke of battle risen from the field than his ministers of mercy were bending over the wounded and caring for the dying.

"These agents had their instructions to follow in the track of our armies, to pick up the disabled who might have fallen by the wayside; to visit the hospitals, report the names of the sick, wounded, and dead, and afford relief wherever it could be afforded; to inform the State authorities what kind of supplies were needed and where to visit the troops in the field, ascertain their wants and condition, and aid in having their requests for supplies promptly filled. They aided in procuring furloughs for the sick and wounded and discharges for such as would not be able to serve again; in furnishing transportation at the expense of the State for such as had not the means of getting home; in receiving the soldiers' money and distributing it to their families; in hunting up the descriptive rolls for such as had been long confined in hospitals, but for want of their rolls could not be paid or discharged; in visiting battlefields, bringing home the wounded, and distributing sanitary stores."

He anticipated every soldier's want. He ministered to every soldier's necessity. He gratified every soldier's wish. He made frequent and stirring appeals to the loyal women of his State, and, with devotion worthy so grand a cause, they responded to his every call. The amount of stores and clothing and other necessities thus supplied was incalculable, and the good thus accomplished inconceivable. Morton himself, even amidst his herculean labors, found time to visit many battlefields and encourage his Hoosier boys. One wounded soldier said of him after the battle of Shiloh:

I saw the old governor reach out and shake hands with us, and then saw the tears starting out of his eyes as he saw the wounded and heard their groans. Since then I have appreciated his love for us.

He was the last to bid farewell to every regiment as it marched proudly away to the conflict, and was the first to greet it as it returned home, marching proudly to the inspiring music of the Union.

He was the idol of his soldiers. He was as true to them as the magnetic needle to the pole. Among them his name was magic and his presence was inspiration. As Garfield said of him:

The memory of Governor Morton will be forever cherished and honored by the soldiers of my State. They fought side by side with the soldiers of Indiana, and on a hundred glorious fields his name was the battle cry of the noble regiments which he had organized and inspired with his own lofty spirit.

He was indeed the "soldier's friend" in the hour of their necessity and the day of their distress. And, sir, no truer or more fitting words could be inscribed upon the statue which we this day present in honor of his memory than these:

Morton—The soldier's friend.

The labors he performed in this field alone were prodigious, enough to overwhelm a man of less titanic mold, but these were the very least of his great deeds.

The celerity with which he enlisted men and organized regiments has never been excelled. No demand was made upon him which was not promptly met. With a population well-nigh one-half of which was opposed to the purposes of the war and one-third of which was openly hostile to the cause of the Union, with treason raging all about him and treasonable organizations innumerable in his State, he yet organized, equipped, and hurried to the front 208,000 of Indiana's loyal sons—on every crimson field their blood was poured; on every trembling slope their valor was displayed.

While these thousands of brave men were at the front struggling to maintain the supremacy of the Union, traitors in the rear, with tireless vigilance, were always organizing, always agitating, always seeking to overthrow Morton and the State government and carry Indiana into the Confederacy. More than

50,000 men were armed at one time for this black purpose. Indiana fairly swarmed with treasonable societies. There were the "Knights of the Golden Circle," the "Circle of the Mighty Host," the "Mutual Protective Society," the "Knights of the White Camelia," the "Circle of Honor," the "Order of American Knights," and, last and most powerful, the "Sons of Liberty." But Morton crushed them all.

When Kentucky was threatened with invasion, Governor Poyle implored Morton's powerful aid. He sent troops flying to that border State, where the conflict was so fierce and unrelenting, to uphold the Union cause. According to Mr. Foulke, he thus announced the departure of the troops:

August 17. I send 1,000 men to-night; 7,000 to-morrow and Tuesday.

August 21. I sent another regiment last night; a battery will go to-morrow. The Sixty-ninth has started. The Seventy-fifth leaves at 6 p. m. and the Seventy-fourth at 9 p. m. to-day for Louisville.

August 23. Will have at least 17 additional regiments ready for arms this time next week.

August 25. The Seventy-ninth leaves Tuesday; will hurry others; Indiana has put 14,480 men in Kentucky up to Friday last; this will make it 19,236 by Thursday, this week. This includes two batteries.

August 27. Another regiment can leave to-morrow; one leaves this evening.

August 30. The Eighty-ninth leaves this afternoon. The Eighty-first and Eighty-second will be armed to-day. Two regiments will start to-morrow, and five more will be ready next week.

August 31. The Eighty-eighth is at the depot. The Eighty-seventh will be in Louisville to-morrow morning. Two regiments leave to-day and two more to night.

In this way he organized, equipped, and sent 14,000 men into the field in four days.

There was no money to pay bounties; Morton borrowed it. There was no money for advance pay; Morton borrowed it. In this way he borrowed on his own responsibility, without security, with no pledge save his own word, many millions of money during that awful war, and at this time alone it amounted to over \$500,000. But the work must be done. Nothing was permitted to stand in his way. His imperial will crushed every obstacle in his path.

When Cincinnati was threatened, the mayor telegraphed Morton for aid. Instantly the answer was flashed over the wires:

One battery ready with two carloads of ammunition. Will send another train in two hours.

In compliance with this promise he sent 20 pieces of artillery, 3,000 stands of arms, 31,135 rounds of artillery ammunition, and 3,365,000 musket cartridges, all of which arrived in Cincinnati within fifteen hours after the reception of the first news. The manner in which he furnished troops was so surprising that a prominent man in Louisville, speaking of it, said:

If you want soldiers from Indiana, all you have to do is to take some blue cloth and brass buttons, throw them into a hopper, put Morton at the crank, and they will come out regiments.

Morton anticipated every call for troops and constantly enlisted regiments in advance. He was always ready, and Indiana regiments were almost invariably first in the field. Besides all this, when Morgan entered the State, he prepared in a single week 20 regiments of militia to repel the invader from Hoosier soil.

He was utterly indifferent to obstacles. His overmastering will could not be thwarted. A hostile legislature, reeking with treason, sought to rob him of his military power and thus bring revolution and anarchy upon the State. Morton's friends withdrew and left it without a quorum and powerless to act. It adjourned without having appropriated a single dollar to carry on the government. But he was not dismayed. He appealed to the supporters of the Union throughout the State and to his friends in the East. He thus borrowed over \$2,000,000, without a fragment of security, to maintain the government of his State, to aid in keeping the boys in blue at the front and the old flag in its place in the heavens. And every dollar of the sum was afterwards repaid.

He was the earnest friend of Abraham Lincoln, the loyal supporter of Edwin M. Stanton. He never wavered in his devotion to them, and they leaned strongly upon him in that trying crisis of our country's history.

Morton greatly feared the Northwest conspiracy, which was so earnestly advocated by so many of the distinguished leaders of the opposition in Indiana. In order to prevent the consummation of this disaster and to crush the hope of those who fostered it he insisted that the Mississippi should be opened for the commerce of the Northwestern States, and that thereby also the Southern Confederacy should be rent in twain. Impatient of delay because his cherished plan was not speedily carried into execution, he himself offered to lead an army for that purpose into the field, but President Lincoln deemed his services too valuable as the chief executive of that great pivotal State, and his offer was declined.

The following letter of Salmon P. Chase, expressive of the relations between Morton and Stanton, will not be inappropriate at this place:

WASHINGTON, November 10, 1865.

MY DEAR GOVERNOR: I think it is the right of men who have ably and faithfully served their country to know that their labors are appreciated. So I will not deny myself the pleasure of telling you that Secretary Stanton was with me last evening, and we, naturally turning our minds to the past,

fell to talking of you. We agreed that no governor had rendered such services or displayed such courage or ability in administration, and we agreed that your recent services were the most meritorious of all, because rendered under circumstances of personal risk of health and life which would have been by almost any man regarded and by all accepted as good reason for total inaction.

I have seldom heard Stanton express himself so earnestly. I hope you will derive some satisfaction from this little relation. The talk gave much to me.

Cordially, your friend,

S. P. CHASE.

Sir, why should Indiana present this marble figure of her greatest son? Because he saved her for the Union, and in thus saving her aided immeasurably in saving the Union itself. As Senator Booth well said:

To leave out Morton and his influence would be to rewrite the history of this country for the last eighteen years and to modify it for all time to come. In the great struggle on which the existence of the Union was staked he held the central fort. No living man can tell what the result would have been had he not been where he was and what he was.

He was elected governor in 1864 and was advanced to the position of United States Senator on the 22d of January, 1867.

He entered that great body at the special session on the 4th of March, 1867, and at once advanced to the front with that commanding ease that ever marked his course. He was the one man who was never required to serve an apprenticeship in that body. On the very day he entered it he assumed the leadership; a position he did not relinquish and from which he could not be dislodged, but proudly held through all the varying vicissitudes of political life until the day of his death in 1879. And the classical Sumner was there. The imperious Conkling was there. The wise Sherman was there. The profound Edmunds was there. The sagacious Cameron was there, and so were the astute Thurman and the able Pendleton.

Great men were there from every State, but this man, of giant intellect, of granite will, of unyielding conviction, soon outstripped them all. And this leadership was no mere accident. It was not the result of craft or cunning. Such methods he disdained. But his massive ability as a debater, his unbending will, the profound depth of his convictions, the unaffected sincerity of his purpose, all combined to supply that irresistible momentum which pushed him to the forefront and that steadfast power is held him there.

He was the greatest debater of his time—intense, logical, and profound; bold, manly, and energetic. His was the ponderous and invincible logic of a Webster. He disdained utterly the tawdry ornaments of speech. He never resorted to the trickery of rhetoric. His diction was so simple, his logic so overwhelming, that his hearers gave no heed to his sentences. The thought was so prominent that it stood boldly to the front and the words seemed to be massed behind it, crowding irresistibly upon his auditors. It was truth in action.

He accomplished so much in this chosen field because he never vainly attempted anything in speech. There was no pomp of declamation; no feigned earnestness; no superficial emotion. He never spoke until he had thoroughly mastered his subject, until the mind was convinced and the heart engaged, and then there was no affected intensity. The divine energy of his soul utterly possessed him, and his—

Pure and eloquent blood
Spoke in his cheek, and so distinctly wrought,
That one might almost say his body thought.

As an orator he was not overtrained; and certain it is that unless great care is taken such may be the case in oratory and speech. The round diamond has no brilliancy. It is only the angle that plants the rainbow in its bosom and mirrors the sunshine in its heart. If too much of the polishing process be indulged in, it loses both its corners and its value.

Language is the vehicle by which thought is conveyed from one mind to another. It is not an end, but a means. If the vehicle is cumbrous, the mind tires in its comprehension and loses the idea hidden within. The gorgeous outfit attracts the eye, but the rider is unnoticed. And so clearness, force, and earnestness are three indispensable elements of successful speech. In each and all of these he was a master. He had an abundant vocabulary of Anglo-Saxon words, those best adapted to the terse and forcible expression of thought; but never employed to so great a degree the Latin derivatives, those best adapted to copious imagery and charming ornamentation. He never spoke to please, but to convince. He never spoke to charm, but to arouse.

He never quoted a line of poetry; he never used an illustration; he never employed a metaphor. Some one said of him that he "turned a brood of thoughts upon the world without a rag to cover them." And while he was not elegant, not graceful, "yet," as Jefferson said of Adams, "he came out with a power, both of thought and expression, which moved us from our seats."

His great speech on reconstruction has certainly not been excelled in that body since Webster spoke. Walter Q. Gresham said of it that it was the greatest effort made in the Senate since the triumphant effort of the Massachusetts man. And yet it was not polished or ornamented with the graces of language. It was a learned, penetrating, constitutional argument expressed in a

strain of elevated patriotism, and it announced the necessary policy of the Government.

Others have more vividly portrayed his characteristics as a debater than I can hope to do. Senator Booth well said:

As a debater he was an athlete, trained down to pure muscle. In speech, careless of the graces of oratory and polish of style, his earnestness enchaind attention, his directness carried conviction, and there was a natural symmetry in the strength of his statements above the reach of art.

Senator Wadleigh thus forcibly expresses the same thought:

In robust manliness the intellect of Senator Morton was unexcelled. His speeches were marked by logical force, clear perception, and a strength of statement which amounted to demonstration. Though destitute of rhetoric and bare of ornament, their massive force almost silenced doubt and compelled conviction.

Senator Conkling thus describes him:

He will go down to a far hereafter, not as one who embellished and perpetuated his name by the studied and scholastic use of words, nor as a herald of resounding theories, but rather as one who day by day on the journey of life met actual affairs and realities and grappled them with a grasp too resolute and quick to loiter for the ornament or the advantage of protracted and tranquil meditation.

Senator Edmunds well said of him:

The graphic clearness of his statements, the simple directness of his logic, and a sense of his sincere earnestness that he impressed upon his hearers placed him among the most powerful and successful speakers.

Senator Paddock thus voices this sentiment:

We, sir, do well remember that with all this blight upon his physical powers the great Senator bore an intellectual lance to the very last day of his career in this Chamber which no adversary ever despised or was overeager to measure. Often during the period of my service here have I seen the whole Senate filled with admiration of him, when, after many days, perhaps weeks, of continuous debate upon some important question in which he had constantly participated, and when the endurance of even the very strongest had been greatly overtaxed, he arose, and with no external evidence of weariness, restated, reviewed all the arguments of perhaps a dozen adversaries in the discussion, and with one great, masterful, overpowering presentation of the law and the facts in the case answered them all at once. When the full river of his speech came down upon an opposing disputant with its richly laden argosies of fact and precedent—of thought, philosophy, and logic—if his opponent himself were not a master in debate he was sure to be overwhelmed, for only such a one could stand at all against the almost resistless current of his argument.

General Garfield said of him:

He possessed an intellect of remarkable clearness and force. With keen analysis he found the core of the question and worked from the center outward. He cared little for the mere graces of speech, but few men have been so greatly endowed with the power of clear statement and unassailable argument. The path of his thought was straight, like that of the swift cannon ball, shattering that it may reach and shattering what it reaches. When he had hit the mark he used no additional words and sought for no decoration. These qualities, joined to his power of thinking quickly, placed him in the front rank of debaters and every year increased his power.

But the tremendous force of his incorrigible will will be best understood when it is remembered that during all his service in the Senate he was suffering from that dread disease from whose clutches there is no escape—paralysis. No words of mine can add to the encomium paid him by Senator Joseph E. McDonald, who served in that body with him from my State as a Democrat:

His labors upon the Electoral Commission during the eventful period when it seemed as if the very foundations of our Government were in danger of being uprooted are vividly remembered by all. Physically disabled, yet he was everywhere present; borne to his committee room, carried to this Chamber, lifted to his seat in the Electoral Commission by the strong arms of others, there remaining into the long, dreary hours of the night, tireless among the tired, pressing on where strong men gave way, he presents a picture that may well excite our wonder and challenge our admiration and for which history furnishes no example.

Also the words of Senator Thurman:

Suffering for years from a painful and hopeless disease that ultimately terminated his life, we yet saw him, year after year, perform an amount of labor from which the most robust man might have recoiled as from a task too heavy to be borne. He evaded no duty, however onerous; he asserted his claim to leadership at all times and under all circumstances, however great might be the sacrifice of comfort, repose, or health.

Another Senator said of him:

Mr. President, who of us has not now in his memory, photographed there ineffaceably, that sad, thoughtful, but resolute face, as through the corridors and into this Chamber, borne in his chair by two stalwart men, he came to his daily service? The noisy throng in the passages became silent and gave way at his approach with the same instinctive reverence that reached the gallant soldier who has borne a distinguished part in the memorable battle when afterwards he is brought from the field weary, worn, wounded, and dying. The doors flew open before him always as if by magic. The party spirit could at no time run so high as to cause to be withheld from him when he entered here the most cordial, the most sincere, the most respectful greeting from every Senator present.

He was the champion of sound money, the earnest advocate of resumption. In 1869 he introduced a bill providing for a return to specie payment in 1871, and made one of the master speeches of his life in support of it. But the time was not yet ripe for that movement, and his measure failed of passage. But when resumption did come, it was largely along lines which he had recommended and which he championed in his speech.

He was an ardent believer in expansion. The idea that his country should play a secondary part in the affairs of the world was to him little less than profanation. He believed in the masterful virility of the Anglo-Saxon race and in the manifest destiny of our nation.

Mr. Foulke relates of him that—

After it had become reasonably certain that Kansas would be admitted as a free State, he was standing one day in his law office in Centerville looking

at a large map of the United States which hung upon the wall. He was examining carefully the Mexican States to the south. "Kibbey," said he to his partner, "if Kansas and Nebraska come in as free States, the other States will be free, too, and the present issues between the Republican and Democratic parties will be over."

"Now, we have a new party and we must have a living issue. The Democratic party has always been the champion of the extension of territory, and I think the Republicans ought to be ahead of them in advocating the acquisition of Mexico."

In 1870, in a speech in the Senate relative to the annexation of San Domingo, the cherished plan of President Grant, Senator Morton used this language, which in the light of present events seems to have had the force and authority of prophecy:

Mr. President, the annexation of San Domingo will come. I prophesy here to-night that it will come. It may not come in the time of General Grant, or in my time, but I believe it is destined to come, and with it, too, the annexation of Cuba and Porto Rico. Why, sir, this thing was foreseen long ago.

I will refer to a Massachusetts authority of high character nearly fifty years ago with regard to the propriety of annexing Cuba. Cuba is not now before the Senate nor involved in this controversy. But, sir, San Domingo lies between Cuba and Porto Rico. San Domingo is the key to the West Indies. It contains the finest harbor in the world. It commands the great Mona passage from the Atlantic Ocean to the Caribbean Sea. I wish to refer to what Mr. John Quincy Adams said with reference to the acquisition of Cuba, to show his foresight and his philosophy. In a letter written by him as Secretary of State to our minister in Spain, as long ago as 1823, he used the following language, which I commend to the Senator from Massachusetts:

"Numerous and formidable objections to the extension of our territorial dominions beyond the sea present themselves to the first contemplation of the subject; obstacles to the system of policy by which alone that result can be compassed and maintained are to be foreseen and surmounted both from at home and abroad; but there are laws of political as well as of physical gravitation, and if an apple served by the tempest from its native tree can not choose but fall to the ground, Cuba, forcibly disjoined from its own unnatural connection with Spain and incapable of self-support, can gravitate only toward the North American Union, which, by the same law of nature, can not cast her off from its bosom."

Sir, I regard it as destiny, not to be averted by the Senator from Massachusetts nor by any power, that we shall acquire San Domingo and Cuba and Porto Rico. * * *

I know there is talk about the populations of these countries. Sir, they are friendly to us now, and will rapidly become incorporated and consolidated with the people of this nation in case of acquisition. They will become absorbed in this great people long before the people of Canada will be converted to annexation. The Senator from Massachusetts is greatly in favor of the acquisition of all the Canadas, and I shall be, too, when the time comes, but I tell him that the most unconquerable and obstinate thing in this world is a British prejudice, and that the people of Canada are further from us to-day and are less inclined to annexation at this time than they were thirty years ago.

When they are ready to come peaceably and are anxious to do so, I am ready to receive them. But the line of demarcation between them and us, in point of feeling and sentiment, will still remain distinct long after that between us and the people of Santo Domingo and Cuba shall have been obliterated.

I remember, when the proposition was made to annex California and New Mexico, what fearful pictures were drawn of the character of the New Mexican population, and yet there is not to-day a more loyal people to this Government than the people of New Mexico.

How striking these words! How appropriate for present consideration.

He was universally admitted to be the greatest party leader of his time. His ability to organize regiments and send them flying to the field was equally marked in the arena of politics. He grappled his friends to him with hooks of steel, and always had the most powerful and compact organization at his back of any man in public life. He possessed to an overmastering degree the art of selecting the field of contest, of arranging the details of the battle, of telling when to strike and where to strike and how to strike. For one dozen years he sounded the keynote of every campaign, either in the Senate or in Indiana, and his voice was the bugle call which brought the clans into action. He had the remarkable faculty of forcibly putting into language what everybody felt but could not express. And thus his speeches became platforms written in advance of conventions.

Morton could never be induced to leave the Senate. He was offered the exalted position of Chief Justice of the Supreme Court of the United States; he was tendered the mission to the Court of St. James; he was asked to enter the Cabinet by two Presidents, but he declined them all.

He was possessed of an idea which dominated his whole life and impelled him irresistibly forward, and the Senate was the forum in which he could compel attention and achieve results.

He impressed his remarkable personality upon every one in his presence. They felt the unseen power of the man. "It was a strange sight," said Senator Ingalls, "to see that old giant lying helpless in bed, pounding and gesticulating and impressing his views upon the committee."

But the two successive objects of his life were, first, to save the Union, and, second, to incorporate the results of the war into the Constitution and the laws. To this end he lived and wrought.

To see the fruits of victory frittered away in a moment of apathy or false generosity was to him but sacrilege. To his mind the war decided that this was an indivisible Union, and that all men are absolutely equal before the law, and he never faltered or hesitated until the fourteenth and fifteenth amendments were embedded in the granite of the Constitution.

With him this was more than an opinion; it was a conviction. It was more than a sentiment; it was a passion. It was more than

a theory; it was an inspiration. And to him, more than to any other, we owe those last elemental additions to the great charter of our liberty. To this end he brought to bear his power as an organizer, his ability as a leader, his force as an orator, his logic as a debater, his inflexible will, his titanic intellect, his regnant soul—and for this reason, above all else, his sculptured presence is a fit object to adorn and forever sanctify yon Pantheon of the Republic.

I sometimes think, sir, that we of the rising generation came too late upon the world's stage of action. I sometimes feel that it would have been better to live when Washington graced the earth; when Hamilton and Jefferson and Franklin and Madison and all that great galaxy of the world's liberators blazed forth in their full-orbed glory, and when they and their companions laid broad and deep and lasting the enduring foundations of our nation.

I sometimes feel, too, that it would have been greater to live when Webster lived; when Clay and Calhoun and Benton and Hayne fought the battles of the giants; when the real limits of the Constitution were eternally established and the lines of our future progress were permanently laid.

I sometimes feel, too, that it would have been grander to live when the land was wrapped in the sheeted flames of civil strife; when Lincoln, the emancipator, lived; when Grant and Sherman and Sheridan and Thomas and Logan and a million boys in blue fought; when Lee and Jackson and Johnston and Longstreet and a million boys in gray wrought; when our hillsides were drenched with the blood of our bravest and our best, and all our rivers ran red to the sea; when the indissoluble unity of the Union was forever established and the equality of all beneath our flag eternally settled.

But, sir, I am glad to-day that I am a child of these latest and best days of the Republic. I am glad that I am the heir of all the accumulated glory of the past. I am glad that mine is the priceless heritage of all the infinite toil and struggle of the centuries gone—the heroism of Washington, the patriotism of Webster, the martyrdom of Lincoln, the countless sacrifices of all who went down to the eternal glory of death for the liberty of men.

And to-day, as we stand upon the shining summit of the present and lift the thin veil which separates from the future, we can see that a grander day will soon be ushered in upon the children of the Republic yet to be—a broader, wiser, nobler day of universal peace.

And, sir, it will be the high privilege of our country, realizing that all the past was a necessity and that the present is an inspiration; our country having one flag without a stain, save the blood of soldiers who died to defend it; one Constitution without a seam, save where patriots have inlaid the eternal principles which strengthen it; one hope without a spot, save the sacrifices which must be endured to realize it; aye, it will be the sacred duty of our reunited country, which Morton loved and for which he wrought and died, to move forward to the accomplishment of that high mission for which God created us. [Applause.]

The SPEAKER pro tempore. The question is on agreeing to the resolutions.

The resolutions were unanimously agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. METCALF, indefinitely, on account of sickness.

To Mr. JOY, for ten days, on account of important business.

To Mr. STEVENS of Minnesota, until May 1, on account of important business.

To Mr. GIBSON, for one week, on account of important business.

Mr. STEELE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 3 o'clock and 37 minutes) the House adjourned until Monday next at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Light-House Board submitting an estimate of appropriations for a new light-vessel in the Fifth light-house district; to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for armament of fortifications—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting a communication from the chairman of the Chickamauga and Chattanooga National Park Commission relating to an appropriation for the improvement of the Lafayette State road—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. JENKINS, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 9835) to establish a code of law for the District of Columbia, reported the same with amendment, accompanied by a report (No. 1017); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 9164) for the relief of Poo'e & Hunt, reported the same without amendment, accompanied by a report (No. 1005); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5360) for the relief of the legal administrators of Daniel McLeod, deceased, of the South Brooklyn Works, reported the same without amendment, accompanied by a report (No. 1006); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2091) for the relief of Larrabee & Allen, reported the same without amendment, accompanied by a report (No. 1007); which said bill and report were referred to the Private Calendar.

Mr. DICK, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 197) providing for the recognition of the military service of the officers and enlisted men of the First Regiment Ohio Volunteer Light Artillery, reported the same with amendment, accompanied by a report (No. 1008); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 10693) granting a pension to George Serrell; and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LOUDENSLAGER: A bill (H. R. 10736) to reimburse certain States for expenses incurred in aiding the United States to raise and equip the Volunteer Army of the United States in the war with Spain—to the Committee on War Claims.

By Mr. WILSON of Arizona: A bill (H. R. 10737) to amend an act entitled "An act to amend an act to prohibit the passage of local or special laws in the Territories, to limit Territorial indebtedness, and so forth"—to the Committee on the Territories.

By Mr. BULL: A bill (H. R. 10738) to repeal certain provisions of an act entitled "An act to provide ways and means to meet war expenditures, and for other purposes," relating to medicinal proprietary articles and preparations—to the Committee on Ways and Means.

By Mr. WILSON of Idaho: A bill (H. R. 10739) relating to forest reserves, amending the act of June 4, 1897, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1898, and for other purposes"—to the Committee on the Public Lands.

By Mr. BABCOCK: A bill (H. R. 10740) to regulate the grades of Twentieth street, and for other purposes—to the Committee on the District of Columbia.

By Mr. BULL: A joint resolution (H. J. Res. 237) authorizing the Secretary of War to cause a preliminary examination to be made of Ohio Reef in the east passage of Narragansett Bay, Rhode Island—to the Committee on Rivers and Harbors.

By Mr. FITZGERALD of Massachusetts: A resolution (H. Res. 225) relating to the lobster industry—to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARTLETT: A bill (H. R. 10741) for the relief of the mayor and council of the city of Macon, Ga.—to the Committee on War Claims.

By Mr. BENTON: A bill (H. R. 10742) granting a pension to Wilburn W. Testerman—to the Committee on Invalid Pensions.

By Mr. BROMWELL: A bill (H. R. 10743) granting a pension to Augusta Ullman—to the Committee on Pensions.

Also, a bill (H. R. 10744) granting an increase of pension to Louis Hahn—to the Committee on Invalid Pensions.

By Mr. DICK: A bill (H. R. 10745) granting a pension to Mabel A. Woolsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10746) granting a pension to Philenia White—to the Committee on Pensions.

By Mr. GRIFFITH: A bill (H. R. 10747) granting an increase of pension to Jacob M. Stites—to the Committee on Invalid Pensions.

By Mr. JOY (by request): A bill (H. R. 10748) granting an increase of pension to Julius Sporleder—to the Committee on Invalid Pensions.

By Mr. McRAE: A bill (H. R. 10749) granting a pension to Henry L. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10750) to restore James H. Rainey to the pension roll—to the Committee on Invalid Pensions.

By Mr. STARK: A bill (H. R. 10751) granting an increase of pension to Seth H. Craig—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMSON: Petition of the Central Federation of Labor, Columbus, Ga., against the ceding of public lands to States and Territories—to the Committee on the Public Lands.

Also, memorial of Federal grand jury of the southern district of Georgia, in relation to the extradition of persons indicted—to the Committee on the Judiciary.

Also, memorial of the executive council and committee on legislation of the National Shorthand Reporters' Association in relation to Senate bill No. 2352, providing for the appointment of stenographic reporters in the United States district courts—to the Committee on the Judiciary.

By Mr. BABCOCK: Petition of Henry Didiot Post, No. 141, of Hillsboro, Wis., Grand Army of the Republic, in favor of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. BARTLETT: Papers to accompany House bill No. 263, indemnifying the city of Macon for damage to city property while United States troops were quartered in the city park in 1898—to the Committee on War Claims.

By Mr. BURLEIGH: Resolutions of the Universalist Parish, of the State of Maine, relative to the sale of liquors in the new possessions—to the Committee on the Territories.

By Mr. CALDWELL: Petition of Jordan Post, No. 535, of Macon (Ill.) Grand Army of the Republic, in favor of a bill locating a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. COCHRANE of New York: Petition of the Baptist Young People's Society of Christian Endeavor of Stephenstown, N. Y., for the passage of a bill giving prohibition to our new possessions, and favoring the anti-canteen law—to the Committee on the Territories.

By Mr. COX: Paper to accompany House bill No. 1136, relating to claims for lost horses taken from Confederate soldiers in violation of the terms of surrender at the close of the war—to the Committee on War Claims.

By Mr. DICK: Petition of W. W. Harvey and others, of Akron and vicinity, State of Ohio, to accompany House bill granting a pension to Maj. O. M. Brown—to the Committee on Invalid Pensions.

By Mr. DRISCOLL: Protest of the Buffalo (N. Y.) News Company, against the passage of House bill No. 10275, as being detrimental to the business of news dealers—to the Committee on the Post-Office and Post-Roads.

Also, petitions of E. O. Knapp Post, No. 340; Joseph Jones Post, No. 358; Reece Post, No. 49, and Colonel Randall Post, No. 648, Department of New York, Grand Army of the Republic, in favor of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

Also, petitions of the Woman's Christian Temperance Union, Methodist Episcopal Church, Methodist Preachers' Meeting, and others, of Syracuse; Baptist Church of Brokenstraw, N. Y., and Woman's Christian Temperance Union of Webster, N. Y., for the passage of a bill to forbid liquor selling in canteens and in the Army, Navy, and Soldiers' Homes—to the Committee on Military Affairs.

By Mr. EMERSON: Petitions of E. M. Wing Post, of Glens Falls, and C. E. Mills Post, of Fort Edward, Grand Army of the Republic, Department of New York, favoring the passage of a bill to establish a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

Also, petitions of citizens of Chateaugay and West Chazy,

N. Y., to amend the present law in relation to the sale of oleomargarine—to the Committee on Agriculture.

Also, letter of J. A. Strong, with reference to law exempting from taxation property purchased with pension money—to the Committee on the Judiciary.

By Mr. FITZGERALD of Massachusetts: Petition of the mayor and aldermen of Frederick, Md., urging the passage of a bill to indemnify the city of Frederick for the ransoms exacted by the Confederate army on invasion—to the Committee on War Claims.

Also, resolutions of the Building Trades' Council of Cincinnati and vicinity, State of Ohio, protesting against the passage of the butterine bill—to the Committee on Agriculture.

By Mr. GREEN of Pennsylvania: Petition of the Woman's Christian Temperance Union of Reading, Pa., asking for the passage of the anti-canteen bill—to the Committee on Military Affairs.

Also, petition of the Federated Trades' Council of Reading, Pa., to print the label of the Allied Printing Trades on publications of the Government—to the Committee on Printing.

Also, protest of the Berks County Medical Society, of Pennsylvania, against the passage of Senate bill No. 34, prohibiting vivisection—to the Committee on the District of Columbia.

By Mr. JONES of Washington: Protest of Local Union No. 188, of Seattle (Wash.) Cigar Makers' International Union, against the passage of the Grout bill taxing oleomargarine—to the Committee on Agriculture.

By Mr. KETCHAM: Petition of D. W. Jackson and other members of Oak Grove Grange, No. 873, Patrons of Husbandry, New York, for State control of imitation dairy products as provided in House bill No. 3717—to the Committee on Agriculture.

Also, petition of W. W. Smith, president, and W. S. Johnson, secretary, of the Poughkeepsie (N. Y.) Temperance Society, that gambling and sale of opium and intoxicating drinks of all kinds be prohibited in Porto Rico—to the Committee on Insular Affairs.

By Mr. KNOX: Petition of South Church Young People's Society of Christian Endeavor, of Andover, Mass., to prohibit the sale of liquor in canteens and in all Government buildings and premises—to the Committee on Alcoholic Liquor Traffic.

By Mr. LACEY: Petition of the Grand Army of the Republic, Department of Iowa, favoring the passage of House bill No. 2967, providing a sanitarium for the treatment of rheumatism and other diseases of poor disabled soldiers—to the Committee on Military Affairs.

Also, petition of substitute letter carriers of Des Moines, Iowa, in favor of House bill No. 1051, relating to grading of substitute letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. LATIMER: Petition of Abraham Lincoln Lodge, No. 445, Brotherhood of Locomotive Firemen, Columbus, Ohio, against any legislation increasing the tax on oleomargarine—to the Committee on Agriculture.

By Mr. LITTAUER: Petition of Ransom Post, No. 354, of Ogdensburg, N. Y., Grand Army of the Republic, in favor of the establishment of a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. LONG: Petition of L. Ardery and 9 others, of Hutchinson, Kans., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. LOUDENSLAGER: Letter of William W. Morris, of Pueblo, Colo., in relation to pension laws—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: Petition of P. H. Sheridan Post, Grand Army of the Republic, Department of Indiana, favoring the establishment of a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. RIDGELY: Petition of the Young People's Christian Union of Beulah, Kans., urging the passage of House bill prohibiting the sale of liquor in Army canteens, Soldiers' Homes, or reservations used by the Government—to the Committee on Military Affairs.

By Mr. RUSSELL: Resolutions of Iron Molders' Union, No. 65, of Stonington, Conn., opposing the passage of the Grout oleomargarine bill—to the Committee on Agriculture.

Also, petition of the Woman's Christian Temperance Union of Pawtucket, Conn., urging the passage of House bill prohibiting the sale of liquor in Army canteens, etc.—to the Committee on Military Affairs.

By Mr. SCUDDER: Petition of the Woman's Home Missionary Society of the Presbytery of Nassau, Long Island, N. Y., to prohibit the sale of intoxicants in our new possessions—to the Committee on Alcoholic Liquor Traffic.

By Mr. SHERMAN: Resolutions of W. H. Reynolds Post, N. B. Hinkley Post, Hunt Post, and G. W. Chadwick Post, Department of New York, Grand Army of the Republic, in favor of the establishment of a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

Also, petition of W. H. Reynold's Post, No. 36, Grand Army of the Republic, in regard to Senate bill No. 1477, relating to pensions, as amended—to the Committee on the Judiciary.

Also, petitions of Camden Grange, No. 354, and citizens of Verona and Louisville Landing, N. Y., in favor of the passage of House bill No. 3717, amending the oleomargarine law—to the Committee on Agriculture.

By Mr. SHOWALTER: Petition of the United Presbyterian Church and Free Methodist Church of Rochester, Pa., favoring the passage of the Bowersock bill and the abolition of the Army canteen, etc.—to the Committee on Military Affairs.

By Mr. STARK: Affidavits to accompany House bill granting an increase of pension to Seth H. Craig, of Beatrice, Nebr.—to the Committee on Invalid Pensions.

By Mr. THOMAS of Iowa: Petition of 26 citizens of Hull, Sioux County, Iowa, favoring the passage of Senate bill No. 1439, to amend the act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

SENATE.

MONDAY, April 16, 1900.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, and was interrupted by—

Mr. GALLINGER. I ask unanimous consent that the further reading of the Journal be dispensed with.

The PRESIDENT pro tempore. Is there objection?

Mr. JONES of Arkansas. Mr. President, I object.

The PRESIDENT pro tempore. The Secretary will resume the reading of the Journal.

The Secretary resumed the reading of the Journal, and was interrupted by—

Mr. S. OTT. I ask unanimous consent that the further reading of the Journal be dispensed with.

The PRESIDENT pro tempore. That request has been made, and there was objection to dispensing with the reading. The Journal will be read.

The reading of the Journal having been concluded, it was approved.

FIELD OPERATIONS OF THE DIVISION OF SOILS.

The PRESIDENT pro tempore laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring). That there be printed from the stereotype plates now in the Government Printing Office an extra edition of 13,000 copies of Report No. 64 of the Department of Agriculture, entitled "Field Operations of the Division of Soils in 1899," 2,000 copies for distribution by Members and Delegates of the House of Representatives; 1,000 copies for distribution by Senators, and 10,000 copies for distribution by the Secretary of Agriculture.

REPORT ON INDIAN SCHOOLS.

The PRESIDENT pro tempore laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring). That there be printed for the use of the Department of the Interior, 1,000 extra copies of the Report of the Superintendent of Indian Schools for the year 1899.

ELECTION OF SENATORS BY DIRECT VOTE.

The joint resolution (H. J. Res. 28) proposing an amendment to the Constitution providing for the election of Senators of the United States was read the first time by its title.

Mr. BUTLER. I ask that the joint resolution be read at length.

The joint resolution was read the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein). That in lieu of the first paragraph of section 3 of Article I of the Constitution of the United States, and in lieu of so much of paragraph 2 of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the legislatures of three-fourths of the States:

"The Senate of the United States shall be composed of two Senators from each State, who shall be elected by a direct vote of the people thereof for a term of six years, and each Senator shall have one vote. A plurality of the votes cast for candidates for Senator shall be sufficient to elect. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures, respectively.

"When a vacancy happens, by death, resignation, or otherwise, in the representation of any State in the Senate, the same shall be filled for the unexpired term thereof in the same manner as is provided for the election of Senators in paragraph 1: *Provided*, That the executive thereof may make temporary appointment until the next general or special election, in accordance with the statutes or constitution of such State."

"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as a part of the Constitution.

Mr. BUTLER. Mr. President, this proposed amendment to the Constitution, passed by the House on Friday last, is, I think, in the exact language of a similar proposition that has passed the House three or four times and at least once unanimously. It is practically or in the exact words of similar propositions that have been

introduced in this body and referred to the Committee on Privileges and Elections for many years in succession. I myself every year since I have been a member of this body have introduced a similar joint resolution, and it has gone to the Committee on Privileges and Elections, but no report has been made. There is such a proposition now before that committee, and I think half a dozen or a dozen other Senators have introduced similar measures.

Now, Mr. President, it is the purpose of a committee and its function to examine legislation and to report to the Senate its judgment as to its form, to amend it if it sees fit, or to make a favorable or unfavorable report, but not to smother legislation.

When a measure has been considered as long and as carefully as this has been, and public sentiment, as we understand it and have reason to believe is true, is so crystallized in its favor, and especially in view of the recent history of this country, giving most striking and eloquent object lessons and examples why such legislation should be adopted, I see but little need for committee consideration, because the form of this proposed amendment has been carefully considered for many years by the ablest men in this and the other House. A very able report has been prepared on the other side of the Chamber, and similar reports have been made for many sessions of Congress preceding.

Therefore, Mr. President, it is only a matter of form or habit to send such a measure to the committee. It could only go as a matter of courtesy, if the committee require it or desire it. Unless the committee desire to have this measure go before it for consideration, I wish to make a motion that it shall go on the Calendar. If the committee desire to have the joint resolution go before it for consideration, then the committee could desire it but for one purpose fairly, and that would be to consider it and report it. If it will be the purpose of the committee to let it lie and die, and not consider it and report it, then the committee should not ask or desire that it shall go before it at all.

Mr. SEWELL. Mr. President, will the Senator allow me? I wish to make an inquiry as to the parliamentary status of the joint resolution at the present time. Is it subject to objection?

The PRESIDENT pro tempore. The joint resolution has been laid before the Senate by the Presiding Officer, and it can be read but once if an objection is made. Objection being made, debate would not be in order.

Mr. SEWELL. But it goes to the committee to which it properly belongs unless by a vote the Senate should order otherwise.

The PRESIDENT pro tempore. Not if an objection is made. If an objection is made, it lies over one day upon its first reading.

Mr. SEWELL. I do not object, then.

Mr. CHANDLER. I should like, if the Senator from North Carolina will allow me, to interrupt him. He seems to be disposed to make imputations upon the committee somewhat prematurely, I think. He says that the committee could not want to consider this proposed amendment to the Constitution except for the purpose of determining whether or not it should be reported to the Senate; that it ought not to want to consider it for the purpose of smothering it. If the Senator means to suggest that there is or has been any such intention on the part of the committee, I should like to tell him right now that he is mistaken.

Mr. BUTLER. I state a fact and I will show.

Mr. CHANDLER. It is a fact that I want to speak of.

Mr. BUTLER. If it is not the fact, I would like to be informed.

Mr. CHANDLER. Will the Senator restate his fact?

Mr. BUTLER. The fact is that during this session of Congress similar propositions have gone to that committee; not only propositions introduced in this body, but House propositions, having passed the House unanimously, with no objection at least, have gone to the committee and slept and died and the committee made no report to this body.

Mr. CHANDLER. There has been a report made to the Senate in one Congress upon a joint resolution of this kind. There may have been a Congress in which no report was made upon the proposition, as the Senator says; but be that as it may, in the present Congress, I think, there has been nothing before the committee except the joint resolution introduced by the Senator from Arkansas [Mr. BERRY], on which he made a speech, and the joint resolution went to the committee. There has been no motion, no suggestion, made in the committee by any member of the committee that that joint resolution should be taken up and acted upon. This joint resolution having passed the House, as I said a few days ago, reinforced the joint resolution introduced by the Senator from Arkansas, and if it goes to the committee it will be considered by the committee in due time. There is no purpose, as far as I know, on the part of the present committee, whether any previous committee has been delinquent or not, not to consider and report upon this measure.

I think, therefore, the Senator had better withhold any imputation upon the committee and allow the joint resolution to go in the usual form to the committee, and if it is not reported within a reasonable time the Senator has a perfect remedy. I do not quite like to have him attack us in advance.

Mr. BUTLER. Mr. President, I do not know that my remarks